amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2625. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2626. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 2625 submitted by Mr. SCHUMER and intended to be proposed to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2627. Mr. WARNER (for himself, Mr. PORTMAN, and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2574. Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1200, strike line 9, and all that follows through page 1202, line 10, and insert the following:

Subtitle B—Cannabidiol and Marihuana Research Expansion

SEC. 25101. SHORT TITLE.

This subtitle may be cited as the ''Cannabidiol and Marihuana Research Expansion Act''.

SEC. 25102. DEFINITIONS.

In this subtitle—

(1) the term ''appropriately registered'' means that an individual or entity is registered under the Controlled Substances Act (21 U.S.C. 801 et seq.) to engage in the type of activity that is carried out by the individual or entity with respect to a controlled substance on the schedule that is applicable to cannabidiol or marihuana, as applicable;

(2) the term ''cannabidiol'' means—

(A) the substance, cannabidiol, as derived from marihuana that has a delta-9-tetrahydrocannabinol level that is greater than 0.3 percent; and

(B) the synthetic equivalent of the substance described in subparagraph (A);

(3) the terms ''controlled substance'', ''dispense'', ''distribute'', ''manufacture'', ''marihuana'', and ''practitioner'' have the meanings given such terms in section 102 of the Controlled Substances Act (21 U.S.C. 802), as amended by this subtitle;

(4) the term ''covered institution of higher education'' means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that—

(A)(i) has highest or higher research activity, as defined by the Carnegie Classification of Institutions of Higher Education; or

(ii) is an accredited medical school or an accredited school of osteopathic medicine; and

(B) is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.);

(5) the term ''drug'' has the meaning given the term in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1));

(6) the term ''medical research for drug development'' means medical research that is—

(A) a preclinical study or clinical investigation conducted in accordance with section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or otherwise permitted by the Department of Health and Human Services to determine the potential medical benefits of marihuana or cannabidiol as a drug; and

(B) conducted by a covered institution of higher education, practitioner, or manufacturer that is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.); and

(7) the term ''State'' means any State of the United States, the District of Columbia, and any territory of the United States.

CHAPTER 1—REGISTRATIONS FOR MARIHUANA RESEARCH

SEC. 25121. MARIHUANA RESEARCH APPLICATIONS.

Section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(2) by striking ''(f) The Attorney General'' and inserting ''(f)(1) The Attorney General'';

(3) by striking ''Registration applications'' and inserting the following:

''(2)(A) Registration applications'';

(4) by striking ''Article 7'' and inserting the following:

''(3) Article 7''; and

(5) by inserting after paragraph (2)(A), as so designated, the following:

''(B)(i) The Attorney General shall register a practitioner to conduct research with marihuana if—

''(I) the applicant's research protocol—

''(aa) has been reviewed and allowed—

''(AA) by the Secretary of Health and Human Services under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i));

''(BB) by the National Institutes of Health or another Federal agency that funds scientific research; or

''(CC) pursuant to sections 1301.18 and 1301.32 of title 21, Code of Federal Regulations, or any successors thereto; and

''(II) the applicant has demonstrated to the Attorney General that there are effective procedures in place to adequately safeguard against diversion of the controlled substance for legitimate medical or scientific use pursuant to section 25125 of the Cannabidiol and Marihuana Research Expansion Act, including demonstrating that the security measures are adequate for storing the quantity of marihuana the applicant would be authorized to possess.

''(ii) The Attorney General may deny an application for registration under this subparagraph only if the Attorney General determines that the issuance of the registration would be inconsistent with the public interest. In determining the public interest, the Attorney General shall consider the factors listed in—

''(I) subparagraphs (B) through (E) of paragraph (1); and

''(II) subparagraph (A) of paragraph (1), if the applicable State requires practitioners conducting research to register with a board or authority described in such subparagraph (A).

''(iii)(I) Not later than 60 days after the date on which the Attorney General receives a complete application for registration under this subparagraph, the Attorney General shall—

''(aa) approve the application; or

''(bb) request supplemental information.

''(II) For purposes of subclause (I), an application shall be deemed complete when the applicant has submitted documentation showing that the requirements under clause (i) are satisfied.

''(iv) Not later than 30 days after the date on which the Attorney General receives supplemental information as described in clause (iii)(I)(bb) in connection with an application described in this subparagraph, the Attorney General shall approve or deny the application.

''(v) If an application described in this subparagraph is denied, the Attorney General shall provide a written explanation of the basis of denial to the applicant.''.

SEC. 25122. RESEARCH PROTOCOLS.

(a) IN GENERAL.—Paragraph (2)(B) of section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)), as amended by section 25121 of this Act, is further amended by adding at the end the following:

''(vi)(I) If the Attorney General grants an application for registration under clause (i), the registrant may amend or supplement the research protocol without reapplying if the registrant does not change—

''(aa) the quantity or type of drug;

''(bb) the source of the drug; or

''(cc) the conditions under which the drug is stored, tracked, or administered.

''(II)(aa) If a registrant under clause (i) seeks to change the type of drug, the source of the drug, or conditions under which the drug is stored, tracked, or administered, the registrant shall notify the Attorney General via registered mail, or an electronic means permitted by the Attorney General, not later than 30 days before implementing an amended or supplemental research protocol.

''(bb) A registrant may proceed with an amended or supplemental research protocol described in item (aa) if the Attorney General does not explicitly object during the 30-day period beginning on the date on which the Attorney General receives the notice under item (aa).

''(cc) The Attorney General may only object to an amended or supplemental research protocol under this subclause if additional security measures are needed to safeguard against diversion or abuse.

''(dd) If a registrant under clause (i) seeks to address additional security measures identified by the Attorney General under item (cc), the registrant shall notify the Attorney General via registered mail, or an electronic means permitted by the Attorney General, not later than 30 days before implementing an amended or supplemental research protocol.

''(ee) A registrant may proceed with an amended or supplemental research protocol described in item (dd) if the Attorney General does not explicitly object during the 30-day period beginning on the date on which the Attorney General receives the notice under item (dd).

''(III)(aa) If a registrant under clause (i) seeks to change the quantity of marihuana needed for research and the change in quantity does not impact the factors described in item (bb) or (cc) of subclause (I) of this clause, the registrant shall notify the Attorney General via registered mail or using an electronic means permitted by the Attorney General.

''(bb) A notification under item (aa) shall include—

''(AA) the Drug Enforcement Administration registration number of the registrant;

''(BB) the quantity of marihuana already obtained;

''(CC) the quantity of additional marihuana needed to complete the research; and

''(DD) an attestation that the change in quantity does not impact the source of the drug or the conditions under which the drug is stored, tracked, or administered.

''(cc) The Attorney General shall ensure that—

''(AA) any registered mail return receipt with respect to a notification under item (aa) is submitted for delivery to the registrant providing the notification not later than 3 days after receipt of the notification by the Attorney General; and

''(BB) notice of receipt of a notification using an electronic means permitted under item (aa) is provided to the registrant providing the notification not later than 3 days after receipt of the notification by the Attorney General.

''(dd)(AA) On and after the date described in subitem (BB), a registrant that submits a notification in accordance with item (aa) may proceed with the research as if the change in quantity has been approved on such date, unless the Attorney General notifies the registrant of an objection described in item (ee).

''(BB) The date described in this subitem is the date on which a registrant submitting a notification under item (aa) receives the registered mail return receipt with respect to the notification or the date on which the registrant receives notice that the notification using an electronic means permitted under item (aa) was received by the Attorney General, as the case may be.

''(ee) A notification submitted under item (aa) shall be deemed to be approved unless the Attorney General, not later than 10 days after receiving the notification, explicitly objects based on a finding that the change in quantity—

''(AA) does impact the source of the drug or the conditions under which the drug is stored, tracked, or administered; or

''(BB) necessitates that the registrant implement additional security measures to safeguard against diversion or abuse.

''(IV) Nothing in this clause shall limit the authority of the Secretary of Health and Human Services over requirements related to research protocols, including changes in—

''(aa) the method of administration of marihuana;

''(bb) the dosing of marihuana; and

''(cc) the number of individuals or patients involved in research.''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall promulgate regulations to carry out the amendment made by this section.

SEC. 25123. APPLICATIONS TO MANUFACTURE MARIHUANA FOR RESEARCH.

(a) IN GENERAL.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended—

(1) by redesignating subsections (c) through (k) as subsections (d) through (l), respectively;

(2) by inserting after subsection (b) the following:

''(c)(1)(A) As it relates to applications to manufacture marihuana for research purposes, if the Attorney General places a notice in the Federal Register to increase the number of entities registered under this Act to manufacture marihuana to supply appropriately registered researchers in the United States, the Attorney General shall, not later than 60 days after the date on which the Attorney General receives a completed application—

''(i) approve the application; or

''(ii) request supplemental information.

''(B) For purposes of subparagraph (A), an application shall be deemed complete when the applicant has submitted documentation showing each of the following:

''(i) The requirements designated in the notice in the Federal Register are satisfied.

''(ii) The requirements under this Act are satisfied.

''(iii) The applicant will limit the transfer and sale of any marihuana manufactured under this subsection—

''(I) to researchers who are registered under this Act to conduct research with controlled substances in schedule I; and

''(II) for purposes of use in preclinical research or in a clinical investigation pursuant to an investigational new drug exemption under 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)).

''(iv) The applicant will transfer or sell any marihuana manufactured under this subsection only with prior, written consent for the transfer or sale by the Attorney General.

''(v) The applicant has completed the application and review process under subsection (a) for the bulk manufacture of controlled substances in schedule I.

''(vi) The applicant has established and begun operation of a process for storage and handling of controlled substances in schedule I, including for inventory control and monitoring security in accordance with section 25125 of the Cannabidiol and Marihuana Research Expansion Act.

''(vii) The applicant is licensed by each State in which the applicant will conduct operations under this subsection, to manufacture marihuana, if that State requires such a license.

''(C) Not later than 30 days after the date on which the Attorney General receives supplemental information requested under subparagraph (A)(ii) with respect to an application, the Attorney General shall approve or deny the application.

''(2) If an application described in this subsection is denied, the Attorney General shall provide a written explanation of the basis of denial to the applicant.'';

(3) in subsection (h)(2), as so redesignated, by striking ''subsection (f)'' each place it appears and inserting ''subsection (g)'';

(4) in subsection (j)(1), as so redesignated, by striking ''subsection (d)'' and inserting ''subsection (e)''; and

(5) in subsection (k), as so redesignated, by striking ''subsection (f)'' each place it appears and inserting ''subsection (g)''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The Controlled Substances Act (21 U.S.C. 801 et seq.) is amended—

(A) in section 102 (21 U.S.C. 802)—

(i) in paragraph (16)(B)—

(I) in clause (i), by striking ''or'' at the end;

(II) by redesignating clause (ii) as (iii); and

(III) by inserting after clause (i) the following:

''(ii) the synthetic equivalent of hemp-derived cannabidiol that contains less than 0.3 percent tetrahydrocannabinol; or'';

(ii) in paragraph (52)(B)—

(I) by striking ''303(f)'' each place it appears and inserting ''303(g)''; and

(II) in clause (i), by striking ''(d), or (e)'' and inserting ''(e), or (f)''; and

(iii) in paragraph (54), by striking ''303(f)'' each place it appears and inserting ''303(g)'';

(B) in section 302(g)(5)(A)(iii)(I)(bb) (21 U.S.C. 822(g)(5)(A)(iii)(I)(bb)), by striking ''303(f)'' and inserting ''303(g)'';

(C) in section 304 (21 U.S.C. 824), by striking ''303(g)(1)'' each place it appears and inserting ''303(h)(1)'';

(D) in section 307(d)(2) (21 U.S.C. 827(d)(2)), by striking ''303(f)'' and inserting ''303(g)'';

(E) in section 309A(a)(2) (21 U.S.C. 829a(a)(2)), in the matter preceding subparagraph (A), by striking ''303(g)(2)'' and inserting ''303(h)(2)'';

(F) in section 311(h) (21 U.S.C. 831(h)), by striking ''303(f)'' each place it appears and inserting ''303(g)'';

(G) in section 401(h)(2) (21 U.S.C. 841(h)(2)), by striking ''303(f)'' each place it appears and inserting ''303(g)'';

(H) in section 403(c)(2)(B) (21 U.S.C. 843(c)(2)(B)), by striking ''303(f)'' and inserting ''303(g)''; and

(I) in section 512(c)(1) (21 U.S.C. 882(c)(1)) by striking ''303(f)'' and inserting ''303(g)''.

(2) Section 1008(c) of the Controlled Substances Import and Export Act (21 U.S.C. 958(c)) is amended—

(A) in paragraph (1), by striking ''303(d)'' and inserting ''303(e)''; and

(B) in paragraph (2)(B), by striking ''303(h)'' and inserting ''303(i)''.

(3) Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended—

(A) in section 520E–4(c) (42 U.S.C. 290bb–36d(c)), by striking ''303(g)(2)(B)'' and inserting ''303(h)(2)(B)''; and

(B) in section 544(a)(3) (42 U.S.C. 290dd–3(a)(3)), by striking ''303(g)'' and inserting ''303(h)''.

(4) Title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is amended—

(A) in section 1833(bb)(3)(B) (42 U.S.C. 13951(bb)(3)(B)), by striking ''303(g)'' and inserting ''303(h)'';

(B) in section 1834(o)(3)(C)(ii) (42 U.S.C. 1395m(o)(3)(C)(ii)), by striking ''303(g)'' and inserting ''303(h)''; and

(C) in section 1866F(c)(3)(C) (42 U.S.C. 1395cc–6(c)(3)(C)), by striking ''303(g)'' and inserting ''303(h)''.

(5) Section 1903(aa)(2)(C)(ii) of the Social Security Act (42 U.S.C. 1396b(aa)(2)(C)(ii)) is amended by striking ''303(g)'' each place it appears and inserting ''303(h)''.

SEC. 25124. ADEQUATE AND UNINTERRUPTED SUPPLY.

On an annual basis, the Attorney General shall assess whether there is an adequate and uninterrupted supply of marihuana, including of specific strains, for research purposes.

SEC. 25125. SECURITY REQUIREMENTS.

(a) IN GENERAL.—An individual or entity engaged in researching marihuana or its components shall store it in a securely locked, substantially constructed cabinet.

(b) REQUIREMENTS FOR OTHER MEASURES.—Any other security measures required by the Attorney General to safeguard against diversion shall be consistent with those required for practitioners conducting research on other controlled substances in schedules I and II in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) that have a similar risk of diversion and abuse.

SEC. 25126. PROHIBITION AGAINST REINSTATING INTERDISCIPLINARY REVIEW PROCESS FOR NON-NIH-FUNDED RESEARCHERS.

The Secretary of Health and Human Services may not—

(1) reinstate the Public Health Service interdisciplinary review process described in the guidance entitled ''Guidance on Procedures for the Provision of Marijuana for Medical Research'' (issued on May 21, 1999); or

(2) require another review of scientific protocols that is applicable only to research on marihuana or its components.

CHAPTER 2—DEVELOPMENT OF FDA-APPROVED DRUGS USING CANNABIDIOL AND MARIHUANA

SEC. 25141. MEDICAL RESEARCH ON CANNABIDIOL.

Notwithstanding any provision of the Controlled Substances Act (21 U.S.C. 801 et seq.), the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.), chapter 81 of title 41, United States Code, or any other Federal law, an appropriately registered covered institution of higher education, a practitioner, or a manufacturer may manufacture, distribute, dispense, or possess marihuana or cannabidiol if the marihuana or cannabidiol is manufactured, distributed, dispensed, or possessed, respectively, for purposes of medical research for drug development or subsequent commercial production in accordance with section 25142.

SEC. 25142. REGISTRATION FOR THE COMMERCIAL PRODUCTION AND DISTRIBUTION OF FOOD AND DRUG ADMINISTRATION-APPROVED DRUGS.

The Attorney General shall register an applicant to manufacture or distribute cannabidiol or marihuana for the purpose of commercial production of a drug containing or derived from marihuana that is approved by the Secretary of Health and Human Services under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), in accordance with the applicable requirements under subsection (a) or (b) of section 303 of the Controlled Substances Act (21 U.S.C. 823).

SEC. 25143. IMPORTATION OF CANNABIDIOL FOR RESEARCH PURPOSES.

The Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.) is amended—

(1) in section 1002(a) (21 U.S.C. 952(a))—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2)(C), by inserting ''and'' after ''uses,''; and

(C) inserting before the undesignated matter following paragraph (2)(C) the following:

''(3) such amounts of marihuana or cannabidiol (as defined in section 25102 of the Cannabidiol and Marihuana Research Expansion Act) as are—

''(A) approved for medical research for drug development (as such terms are defined in section 25102 of the Cannabidiol and Marihuana Research Expansion Act), or

''(B) necessary for registered manufacturers to manufacture drugs containing marihuana or cannabidiol that have been approved for use by the Commissioner of Food and Drugs under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.),''; and

(2) in section 1007 (21 U.S.C. 957), by amending subsection (a) to read as follows:

''(a)(1) Except as provided in paragraph (2), no person may—

''(A) import into the customs territory of the United States from any place outside thereof (but within the United States), or import into the United States from any place outside thereof, any controlled substance or list I chemical, or

''(B) export from the United States any controlled substance or list I chemical,

unless there is in effect with respect to such person a registration issued by the Attorney General under section 1008, or unless such person is exempt from registration under subsection (b).

''(2) Paragraph (1) shall not apply to the import or export of marihuana or cannabidiol (as defined in section 25102 of the Cannabidiol and Marihuana Research Expansion Act) that has been approved for—

''(A) medical research for drug development authorized under section 25141 of the Cannabidiol and Marihuana Research Expansion Act; or

''(B) use by registered manufacturers to manufacture drugs containing marihuana or cannabidiol that have been approved for use by the Commissioner of Food and Drugs under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).''.

CHAPTER 3—DOCTOR-PATIENT RELATIONSHIP

SEC. 25161. DOCTOR-PATIENT RELATIONSHIP.

It shall not be a violation of the Controlled Substances Act (21 U.S.C. 801 et seq.) for a State-licensed physician to discuss—

(1) the currently known potential harms and benefits of marihuana derivatives, including cannabidiol, as a treatment with the legal guardian of the patient of the physician if the patient is a child; or

(2) the currently known potential harms and benefits of marihuana and marihuana derivatives, including cannabidiol, as a treatment with the patient or the legal guardian of the patient of the physician if the patient is a legal adult.

CHAPTER 4—FEDERAL RESEARCH

SEC. 25181. FEDERAL RESEARCH.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in coordination with the Director of the National Institutes of Health and the heads of other relevant Federal agencies, shall submit to the Caucus on International Narcotics Control, the Committee on the Judiciary, and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce and the Committee on the Judiciary of the House of Representatives a report on—

(1) the potential therapeutic effects of cannabidiol or marihuana on serious medical conditions, including intractable epilepsy;

(2) the potential effects of marihuana, including—

(A) the effect of increasing delta-9-tetrahydrocannabinol levels on the human body and developing adolescent brains; and

(B) the effect of various delta-9-tetrahydrocannabinol levels on cognitive abilities, such as those that are required to operate motor vehicles or other heavy equipment; and

(3) the barriers associated with researching marihuana or cannabidiol in States that have legalized the use of such substances, which shall include—

(A) recommendations as to how such barriers might be overcome, including whether public-private partnerships or Federal-State research partnerships may or should be implemented to provide researchers with access to additional strains of marihuana and cannabidiol; and

(B) recommendations as to what safeguards must be in place to verify—

(i) the levels of tetrahydrocannabinol, cannabidiol, or other cannabinoids contained in products obtained from such States is accurate; and

(ii) that such products do not contain harmful or toxic components.

(b) ACTIVITIES.—To the extent practicable, the Secretary of Health and Human Services, either directly or through awarding grants, contacts, or cooperative agreements, shall expand and coordinate the activities of the National Institutes of Health and other relevant Federal agencies to better determine the effects of cannabidiol and marihuana, as outlined in the report submitted under paragraphs (1) and (2) of subsection (a).

Subtitle C—GAO Study

SEC. 25201. GAO STUDY ON IMPROVING THE EFFICIENCY OF TRAFFIC SYSTEMS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall carry out, and submit to Congress a report describing the results of, a study on the potential societal benefits of improving the efficiency of traffic systems.

SA 2575. Mr. CORNYN (for himself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. ___. AUTHORITY TO USE CORONAVIRUS RELIEF FUNDS FOR INFRASTRUCTURE PROJECTS.

(a) IN GENERAL.—Title VI of the Social Security Act (42 U.S.C. 801 et seq.) is amended—

(1) in section 602—

(A) in subsection (a)(1), by inserting ''(except as provided in subsection (c)(4))'' after ''December 31, 2024''; and

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (4)''; and

(ii) by adding at the end the following new paragraph:

''(4) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

''(A) IN GENERAL.—Subject to subparagraph (C), notwithstanding any other provision of law, a State, territory, or Tribal government receiving a payment under this section may use funds provided under such payment for projects described in subparagraph (B), including—

''(i) in the case of a project receiving a grant under section 117 of title 23, United States Code, section 5309 or 6701 of title 49, United States Code, or section 3005(b) of the FAST Act (49 U.S.C. 5309 note; Public Law 114-94), to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project receiving credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

''(I) to satisfy a non-Federal share requirement applicable to such a project; and

''(II) to repay a loan provided under such program.

''(B) PROJECTS DESCRIBED.—A project referred to in subparagraph (A) is any of the following:

''(i) A project that receives a grant under section 117 of title 23, United States Code.

''(ii) A project eligible under section 119 of title 23, United States Code.

''(iii) A project eligible under section 124 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(iv) A project eligible under section 133 of title 23, United States Code.

''(v) An activity to carry out section 134 of title 23, United States Code.

''(vi) A project eligible under section 148 of title 23, United States Code.

''(vii) A project eligible under section 149 of title 23, United States Code.

''(viii) A project eligible under section 151 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(ix) A project eligible under section 165 of title 23, United States Code.

''(x) A project eligible under section 167 of title 23, United States Code.

''(xi) A project eligible under section 173 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xii) A project eligible under section 175 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xiii) A project eligible under section 176 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xiv) A project eligible under section 202 of title 23, United States Code.

''(xv) A project eligible under section 203 of title 23, United States Code.

''(xvi) A project eligible under section 204 of title 23, United States Code.

''(xvii) A project that receives a grant under the program for national infrastructure investments (commonly known as the 'Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program').

''(xviii) A project that receives credit assistance under the TIFIA program under chapter 6 of title 23, United States Code.

''(xix) A project that furthers the completion of a designated route of the Appalachian Development Highway System under section 14501 of title 40, United States Code.

''(xx) A project that receives a grant under section 5307 of title 49, United States Code.

''(xxi) A project that receives a grant under section 5309 of title 49, United States Code.

''(xxii) A project that receives a grant under section 5311 of title 49, United States Code.

''(xxiii) A project that receives a grant under section 5337 of title 49, United States Code.

''(xxiv) A project that receives a grant under section 5339 of title 49, United States Code.

''(xxv) A project that receives a grant under section 6703 of title 49, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xxvi) A project that receives a grant under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

''(xxvii) A project eligible under the bridge replacement, rehabilitation, preservation, protection, and construction program under paragraph (1) under the heading 'HIGHWAY INFRASTRUCTURE PROGRAM' under the heading 'FEDERAL HIGHWAY ADMINISTRATION' under the heading 'DEPARTMENT OF TRANSPORTATION' under title VIII of division J of the Infrastructure Investment and Jobs Act.

''(C) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

''(I) IN GENERAL.—Subject to clause (ii), the total amount that a State, territory, or Tribal government may use from a payment made under this section for uses described in subparagraph (A) shall not exceed the greater of—

''(aa) ⟦$10,000,000⟧; and

''(bb) ⟦25⟧ percent of such payment.

''(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1)(D), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

''(ii) WAIVER OF LIMITATION.—At the request of a State, territory, or Tribal government, the Secretary may allow the State, territory, or Tribal government to use up to 50 percent of a payment made under this section for a use described in subparagraph (A) if any of the following criteria are met (as determined by the Secretary):

''(I) The projects involved are of significant economic importance to the State, territory, or Tribal government.

''(II) The projects involved would enhance employment opportunities for the State, territory, or Tribal government.

''(III) The projects involved would enhance the health and safety of the public.

''(IV) The projects involved would enhance protections for the environment.

''(V) The projects involved would enhance the capacity of the metropolitan city, State, territory, or Tribal government to respond to the COVID–19 crisis.

''(VI) The State, territory, or Tribal government suffered a reduction in revenue (as determined under the interim final rule issued by the Secretary on May 17, 2021, entitled 'Coronavirus State and Local Fiscal Recovery Funds' (86 Fed. Reg. 26786)) of greater than 10 percent in calendar year 2020.

''(iii) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section shall not be used for operating expenses of a project described in clauses (xx) through (xxiv) of subparagraph (B).

''(iv) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) the requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section that are used pursuant to subparagraph (A) for a project described in clause (xxvi) of subparagraph (B) that relates to broadband infrastructure;

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section that are used for projects described in subparagraph (B); and

''(III) a State government receiving a payment under this section may use funds provided under such payment for projects described in clause (i) of subparagraph (B) that—

''(aa) demonstrate progress in achieving a state of good repair as required by the State's asset management plan under section 119(e) of title 23, United States Code; and

''(bb) support the achievement of 1 or more performance targets of the State established under section 150 of title 23, United States Code.

''(v) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iv) to the appropriate Federal agency.

''(D) AVAILABILITY.—Funds provided under a payment made under this section to a State, territory, or Tribal government shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.''; and

(2) in subsection 603—

(A) in subsection (a), by inserting ''(except as provided in subsection (c)(5))'' after ''December 31, 2024''; and

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraphs (3) and (4)'' and inserting ''paragraphs (3), (4), and (5)''; and

(ii) by adding at the end the following new paragraph:

''(5) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), notwithstanding any other provision of law, a metropolitan city, nonentitlement unit of local government, or county receiving a payment under this section may use funds provided under such payment for projects described in subparagraph (B) of section 602(c)(4), including—

''(i) in the case of a project receiving a grant under section 117 of title 23, United States Code, section 5309 or 6701 of title 49, United States Code, or section 3005(b) of the FAST Act (49 U.S.C. 5309 note; Public Law 114-94), to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project receiving credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

''(I) to satisfy a non-Federal share requirement applicable to such a project; and

''(II) to repay a loan provided under such program.

''(B) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

''(I) IN GENERAL.—Subject to clause (ii), the total amount that a metropolitan city, nonentitlement unit of local government, or county may use from a payment made under this section for uses described in subparagraph (A) shall not exceed the greater of—

''(aa) ⟦$10,000,000⟧; and

''(bb) ⟦25 percent⟧ of such payment.

''(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1)(D), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

''(ii) WAIVER OF LIMITATION.—At the request of a metropolitan city, nonentitlement unit of local government, or county, the Secretary may allow the metropolitan city, nonentitlement unit of local government, or county to use up to 50 percent of a payment made under this section for uses described in subparagraph (A) if any of the following criteria are met (as determined by the Secretary):

''(I) The projects involved are of significant economic importance to the metropolitan city, nonentitlement unit of local government, or county.

''(II) The projects involved would enhance employment opportunities for the metropolitan city, nonentitlement unit of local government, or county.

''(III) The projects involved would enhance the health and safety of the public.

''(IV) The projects involved would enhance protections for the environment.

''(V) The projects involved would enhance the capacity of the metropolitan city, nonentitlement unit of local government, or county to respond to the COVID–19 crisis.

''(VI) The metropolitan city, nonentitlement unit of local government, or county suffered a reduction in revenue (as determined under the interim final rule issued by the Secretary on May 17, 2021, entitled 'Coronavirus State and Local Fiscal Recovery Funds' (86 Fed. Reg. 26786)) of greater than 10 percent in calendar year 2020.

''(iii) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section shall not be used for operating expenses of a project described in clauses (xx) through (xxiv) of section 602(c)(4)(B).

''(iv) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) the requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section that are used pursuant to subparagraph (A) for a project described in clause (xxvi) of section 602(c)(4)(B) that relates to broadband infrastructure; and

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section

that are used for projects described in section 602(c)(4)(B).

''(v) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iv) to the appropriate Federal agency.

''(C) AVAILABILITY.—Funds provided under a payment made under this section to a metropolitan city, nonentitlement unit of local government, or county shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.''.

(b) TECHNICAL AMENDMENTS.—Sections 602(c)(3) and 603(c)(3) of title VI of the Social Security Act (42 U.S.C. 802(c)(3), 803(c)(3)) are each amended by striking ''paragraph (17) of''.

(c) GUIDANCE AND EFFECTIVE DATE.—

(1) GUIDANCE OR RULE.—Within 60 days of the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of Transportation, shall issue guidance or promulgate a rule to carry out this section.

(2) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the issuance of guidance or the promulgation of a rule described in paragraph (1).

(d) DEPARTMENT OF THE TREASURY ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the unobligated balances from amounts made available to the Secretary of the Treasury (referred to in this subsection as the ''Secretary'') for administrative expenses pursuant to the provisions specified in paragraph (2) shall be available to the Secretary (in addition to any other appropriations provided for such purpose) for any administrative expenses of the Department of the Treasury determined by the Secretary to be necessary to respond to the coronavirus emergency, including any expenses necessary to implement any provision of—

(A) the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136);

(B) division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260);

(C) the American Rescue Plan Act (Public Law 117–2); or

(D) title VI of the Social Security Act (42 U.S.C. 801 et seq.).

(2) PROVISIONS SPECIFIED.—The provisions specified in this paragraph are the following:

(A) Sections 4003(f) and 4112(b) of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

(B) Section 421(f)(2) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(C) Sections 3201(a)(2)(B), 3206(d)(1)(A), and 7301(b)(5) of the American Rescue Plan Act of 2021 (Public Law 117–2).

(D) Section 602(a)(2) of the Social Security Act (42 U.S.C. 802(a)(2)).

SA 2576. Mr. HAWLEY (for himself, Mr. BLUNT, and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division I, add the following:

SEC. 90009. SAFETY REQUIREMENTS FOR AMPHIBIOUS PASSENGER VESSELS.

(a) SAFETY IMPROVEMENTS.—

(1) BUOYANCY REQUIREMENTS.—Not later than 1 year after the date of completion of a Coast Guard contracted assessment by the National Academies of Sciences, Engineering, and Medicine of the technical feasibility, practicality, and safety benefits of providing reserve buoyancy through passive means on amphibious passenger vessels, the Secretary of the department in which the Coast Guard is operating may initiate a rulemaking to prescribe in regulations that operators of amphibious passenger vessels provide reserve buoyancy for such vessels through passive means, including watertight compartmentalization, built-in flotation, or such other means as the Secretary may specify in the regulations, in order to ensure that such vessels remain afloat and upright in the event of flooding, including when carrying a full complement of passengers and crew.

(2) INTERIM REQUIREMENTS.—Not later than 90 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall initiate a rulemaking to implement interim safety policies or other measures to require that operators of amphibious passenger vessels operating in waters subject to the jurisdiction of the United States, as defined in section 2.38 of title 33, Code of Federal Regulations (or a successor regulation) comply with the following:

(A) Remove the canopies of such vessels for waterborne operations, or install in such vessels a canopy that does not restrict either horizontal or vertical escape by passengers in the event of flooding or sinking.

(B) If the canopy is removed from such vessel pursuant to subparagraph (A), require that all passengers don a Coast Guard type-approved personal flotation device before the onset of waterborne operations of such vessel.

(C) Install in such vessels at least one independently powered electric bilge pump that is capable of dewatering such vessels at the volume of the largest remaining penetration in order to supplement the vessel's existing bilge pump required under section 182.520 of title 46, Code of Federal Regulations (or a successor regulation).

(D) Verify the watertight integrity of such vessel in the water at the outset of each waterborne departure of such vessel.

(b) REGULATIONS REQUIRED.—Not later than 2 years after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall initiate a rulemaking for amphibious passenger vessels operating in waters subject to the jurisdiction of the United States, as defined in section 2.38 of title 33, Code of Federal Regulations (or a successor regulation). The regulations shall include, at a minimum, the following:

(1) SEVERE WEATHER EMERGENCY PREPAREDNESS.—Requirements that an operator of an amphibious passenger vessel—

(A) check and notate in the vessel's logbook the National Weather Service forecast before getting underway and periodically while underway;

(B) in the case of a watch or warning issued for wind speeds exceeding the wind speed equivalent used to certify the stability of an amphibious passenger vessel, proceed to the nearest harbor or safe refuge; and

(C) maintain and monitor a weather monitor radio receiver at the operator station that may be automatically activated by the warning alarm device of the National Weather Service.

(2) PASSENGER SAFETY.—Requirements—

(A) concerning whether personal flotation devices should be required for the duration of an amphibious passenger vessel's waterborne transit, which shall be considered and determined by the Secretary;

(B) that operators of amphibious passenger vessels inform passengers that seat belts may not be worn during waterborne operations;

(C) that before the commencement of waterborne operations, a crew member visually check that each passenger has unbuckled the passenger's seatbelt; and

(D) that operators or crew maintain a log recording the actions described in subparagraphs (B) and (C).

(3) TRAINING.—Requirement for annual training for operators and crew of amphibious passengers vessels, including—

(A) training for personal flotation and seat belt requirements, verifying the integrity of the vessel at the onset of each waterborne departure, identification of weather hazards, and use of National Weather Service resources prior to operation; and

(B) training for crewmembers to respond to emergency situations, including flooding, engine compartment fires, man overboard situations, and in water emergency egress procedures.

(4) RECOMMENDATIONS FROM REPORTS.—Requirements to address recommendations from the following reports, as practicable and to the extent that such recommendations are under the jurisdiction of the Coast Guard:

(A) The National Transportation Safety Board's Safety Recommendation Reports on the Amphibious Passenger Vessel incidents in Table Rock, Missouri, Hot Springs, Arkansas, and Seattle, Washington.

(B) The Coast Guard's Marine Investigation Board reports on the Stretch Duck 7 sinkings at Table Rock, Missouri, and the Miss Majestic sinking near Hot Springs, Arkansas.

(5) INTERIM REQUIREMENTS.—The interim requirements described in subsection (a)(2), as appropriate.

(c) PROHIBITION ON OPERATION OF NONCOMPLIANT VESSELS.—Commencing as of the date specified by the Secretary of the department in which the Coast Guard is operating pursuant to subsection (d), any amphibious passenger vessel whose configuration or operation does not comply with the requirements under subsection (a)(2) (or subsection (a)(1), if prescribed) may not operate in waters subject to the jurisdiction of the United States, as defined in section 2.38 of title 33, Code of Federal Regulations (or a successor regulation).

(d) DEADLINE FOR COMPLIANCE.—The regulations and interim requirements described in subsections (a) and (b) shall require compliance with the requirements in the regulations not later than 2 years after the date of enactment of this Act, as the Secretary of the department in which the Coast Guard is operating may specify in the regulations.

(e) REPORT.—Not later than 180 days after the promulgation of the regulations required under subsection (a), the Commandant of the Coast Guard shall provide a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives regarding the status of the implementation of the requirements included in such regulations.

SA 2577. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr.

TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division D, add the following:

TITLE XIII—ENERGY AND RESILIENCY FOR FEDERAL BUILDINGS

SEC. 41301. SHORT TITLE.

This title may be cited as the ''GSA Resilient, Energy Efficient, and Net-Zero Building Jobs Act of 2021'' or the ''GREEN Building Jobs Act of 2021''.

SEC. 41302. FEDERAL BUILDING LEASING.

(a) IN GENERAL.—Section 435 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17091) is amended to read as follows:

''SEC. 435. LEASING.

''(a) DEFINITION OF LESSOR.—In this section, the term 'lessor' means any individual, firm, partnership, limited liability company, trust, association, State, unit of local government, or legal entity that is the rightful owner of a property leased to the Federal Government.

''(b) LEASING REQUIREMENTS.—

''(1) IN GENERAL.—Except as provided in subsection (c), effective beginning on the date that is 1 year after the date of enactment of the GREEN Building Jobs Act of 2021, no Federal agency shall enter into a contract to lease space unless—

''(A) the space is for a building or space in a building that—

''(i) in the most recent year, has earned the Energy Star label under the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a); and

''(ii) has obtained or will obtain as a required performance specification a green building certification consistent with recommendations of the Administrator based on the review of high-performance building certification systems carried out by the Administrator pursuant to section 436(h); and

''(B) the contract includes—

''(i) a requirement for the lessor of the building to disclose data on consumption of utilities (energy and water)—

''(I) for the portion of the building occupied by the agency; and

''(II) that is provided by the lessor through submetering or an alternative method identified by the Administrator for buildings lacking submeters; and

''(ii) 1 or more mechanisms to ensure that the lessor of the building takes reasonable steps to maintain the requirements of the building described in subparagraph (A).

''(2) LOCATION.—In determining the geographic location of a space to lease under paragraph (1), the Administrator shall not use as a criterion the presence or absence of buildings in that location that have an Energy Star label described in paragraph (1)(A)(i) or a green building certification described in paragraph (1)(A)(ii).

''(c) WAIVER.—

''(1) IN GENERAL.—Subject to paragraph (2), a Federal agency may enter into a contract to lease space that does not meet a requirement described in clause (i) or (ii) of subsection (b)(1)(A) if—

''(A) no other space is available that can meet that requirement within a reasonable period and meet the functional requirements of the agency, including locational needs;

''(B) the agency proposes to remain in a building or a space in a building—

''(i) that the agency has occupied previously; and

''(ii) less than 50 percent of the leasable space of which is leased by the Federal Government;

''(C) the agency proposes to lease a building or space in a building of historical, architectural, or cultural significance (as defined in section 3306(a) of title 40, United States Code); or

''(D) the lease is for not more than 10,000 gross square feet of space in a building less than 50 percent of the leasable space of which is leased by the Federal Government.

''(2) WAIVER APPROVAL.—

''(A) IN GENERAL.—A Federal agency may enter into a contract under paragraph (1) if—

''(i)(I) the agency submits a request to the Federal Director of the Office of Federal High-Performance Green Buildings indicating the basis for the request under paragraph (1); and

''(II) the Federal Director of that Office approves the request; and

''(ii) in the case of a waiver under subparagraph (A), (B), or (C) of paragraph (1), the contract includes the requirements described in subparagraph (B)(ii), which—

''(I) in the case of a waiver under subparagraph (A) of that paragraph, shall be required to be implemented prior to occupancy of the building or space in the building by the Federal agency; and

''(II) in the case of a waiver under subparagraph (B) or (C) of that paragraph, shall be required to be implemented not later than 1 year after the Federal agency signs the contract.

''(B) CONTRACT REQUIREMENTS.—

''(i) DEFINITION OF NONBENCHMARKED SPACE.—In this subparagraph, the term 'nonbenchmarked space' means a building or space in a building for which owners cannot access whole building utility consumption data, including buildings—

''(I) that are located in States that do not require utilities to provide, and utilities do not provide, such aggregated information to multitenant building owners; and

''(II) the tenants of which do not provide energy consumption information to the commercial building owner in response to a request from that owner.

''(ii) REQUIREMENTS.—The requirements referred to in subparagraph (A)(ii) are the following:

''(I) The building or space in a building—

''(aa) meets the requirement described in subsection (b)(1)(A)(i); or

''(bb) is renovated for all feasible energy efficiency and conservation improvements that will be cost effective over the life of the lease (including any optional and reasonably anticipated extensions or renewals of the lease), including improvements in lighting, windows, heating, ventilation, and air conditioning systems and controls.

''(II) The building or space in a building is—

''(aa) benchmarked under a nationally recognized, online, and free benchmarking program, and the benchmark is publicly disclosed; or

''(bb) a nonbenchmarked space.

''(III) In the case of a building or space in a building that is a nonbenchmarked space, the Federal agency provides to the building owner, or authorizes the owner to obtain from the utility, the energy consumption data of the space to enable benchmarking of the building.

''(C) INCORPORATION OF ASSISTANCE INTO LEASE.—In the case of a contract to lease space that receives a waiver under paragraph (1)(A), the Administrator may—

''(i) include in the relevant lease procurement documents a statement about the availability of financial incentives and technical assistance under the pilot program established under subsection (g); or

''(ii)(I) incorporate into the terms of the lease with the lessor any financial incentive or technical assistance provided to that lessor under that pilot program; and

''(II) if subclause (I) is carried out, extend the deadline required under subparagraph (A)(ii)(I).

''(d) REVISION OF FEDERAL REGULATIONS.—Not later than 1 year after the date of enactment of the GREEN Building Jobs Act of 2021, the Administrator shall revise Part 102-73(c) of the Federal Management Regulation and Part 570 of the General Services Administration Acquisition Manual, as appropriate, to reflect the requirements of this section.

''(e) REPORT.—The Administrator shall annually publish on the website of the General Services Administration a report on the aggregate compliance of all leased buildings and spaces in buildings held by the General Services Administration with the most recent version of the Guiding Principles for Sustainable Federal Buildings.

''(f) COMPLIANCE IMPROVEMENT.—Not later than 180 days after the date of enactment of the GREEN Building Jobs Act of 2021, the Administrator shall develop and implement a policy to improve lessor compliance with energy efficiency provisions of leases, including by considering a variety of approaches.

''(g) INCENTIVE PILOT PROGRAM.—

''(1) IN GENERAL.—The Administrator shall establish a pilot program to provide financial incentives for lessors to achieve an Energy Star label under the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a) in a building—

''(A) in which space is leased to a Federal agency; and

''(B)(i) in which the total space leased by the Federal Government is less than 50 percent of the leasable space of the building;

''(ii) that is of historical, architectural, or cultural significance (as defined in section 3306(a) of title 40, United States Code); or

''(iii) for which a waiver is granted under subsection (c)(1)(A).

''(2) DIVERSITY.—In carrying out the pilot program established under paragraph (1), the Administrator shall ensure—

''(A) a diversity in the buildings and spaces owned by lessors provided financial assistance under that paragraph, including buildings with multiple, separate leases that individually do not trigger requirements under this Act; and

''(B) geographical diversity, including the representation of rural areas.

''(3) TECHNICAL ASSISTANCE.—As part of the pilot program established under paragraph (1), the Administrator may provide technical assistance, directly or through contracts, to lessors receiving financial assistance under that pilot program.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator $50,000,000 to carry out this subsection, to remain available until expended.''.

(b) REPORT ON REALTY SERVICES.—Section 102(b) of the Better Buildings Act of 2015 (42 U.S.C. 17062(b)) is amended by adding at the end the following:

''(5) REPORT.—Not later than 90 days after the date of enactment of the GREEN Building Jobs Act of 2021, the Administrator shall submit to Congress, and make publicly available on the website of the General Services Administration, a report on the implementation of paragraph (3), including—

''(A) the results of the policies and practices described in that paragraph, including the number of leases implementing the measures described in that paragraph;

''(B) a description of any barriers to achieving greater energy and water efficiency; and

''(C) recommendations to address those barriers.''.

SEC. 41303. ENERGY AND WATER EFFICIENCY, NET-ZERO, AND ZERO EMISSION VEHICLE INFRASTRUCTURE GOALS.

(a) IN GENERAL.—Subtitle C of title IV of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1607) is amended by adding at the end the following:

"SEC. 442. ENERGY AND WATER EFFICIENCY GOALS.

''(a) ESTABLISHMENT.—Subject to subsections (b), (c), and (d), the Administrator shall, for each of fiscal years 2021 through 2030—

''(1) reduce average building energy intensity (as measured in British thermal units per gross square foot) at GSA facilities by 2.5 percent each fiscal year so that the average building energy intensity of GSA facilities is reduced by 25 percent or greater by 2030, relative to the average building energy intensity of GSA facilities in fiscal year 2018;

''(2) improve water use efficiency and management at GSA facilities by reducing average potable water consumption intensity (as measured in gallons per gross square foot)—

''(A) by 54 percent by fiscal year 2030, relative to the average water consumption of GSA facilities in fiscal year 2007; and

''(B) through reductions of 2 percent each fiscal year;

''(3) reduce industrial, landscaping, and agricultural water consumption at GSA facilities (as measured in gallons)—

''(A) by 20 percent by fiscal year 2030, relative to the industrial, landscaping, and agricultural water consumption of GSA facilities in fiscal year 2018; and

''(B) through reductions of 2 percent each fiscal year; and

''(4) to the maximum extent practicable, carry out paragraphs (1) through (3) in a manner that is lifecycle cost effective.

''(b) ENERGY AND WATER INTENSIVE FACILITY EXCLUSIONS.—

''(1) IN GENERAL.—The Administrator may exclude from the requirements under paragraph (1) or (2) of subsection (a), as applicable, any GSA facility in which energy- or water-intensive activities are carried out.

''(2) REPORT.—The Administrator shall include in the report submitted to the Secretary under section 548(a) of the National Energy Conservation Policy Act (42 U.S.C. 8258(a)) a list identifying each GSA facility excluded under paragraph (1) and a statement of whether the exclusion is on the basis of energy-intensive activities, water-intensive activities, or both energy- and water-intensive activities.

''(c) ALTERNATIVE METRIC FOR MEASURING POTABLE WATER CONSUMPTION INTENSITY.—

''(1) IN GENERAL.—The Administrator may develop an alternative metric for measuring potable water consumption intensity under subsection (a)(2), including by using occupancy, building use type, or other attributes relevant to potable water use and potential for efficiency.

''(2) ORIGINAL METRIC.—If the Administrator develops an alternative metric under paragraph (1), the Administrator shall not cease tracking and reporting potable water consumption intensity in gallons per gross square foot.

''(d) STRINGENT GOALS.—In the case of a conflict between a goal established under subsection (a) and a Federal energy or water intensity goal established pursuant to any other Federal law with respect to GSA facilities, the Administrator shall apply the more stringent goal.

''(e) PRIVATE SECTOR FINANCING PRIORITY.—

''(1) IN GENERAL.—In carrying out this section, the Administrator shall prioritize projects in which Federal funds will be used to leverage private sector financing using public-private partnerships, including through energy savings performance contracts and other mechanisms.

''(2) ANALYSIS.—The Administrator shall select priority projects under paragraph (1) on the basis of analysis that ensures a maximum beneficial use of private finance for the project.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator $500,000,000 to carry out this section and section 443, to remain available until expended, including—

''(1) to supplement project budgets beyond cost-effective and minimum efficiency requirements;

''(2) for onsite or community renewable energy and energy storage and other approaches to reduce total carbon footprints of GSA facilities;

''(3) to achieve embodied carbon reductions on new construction and major renovation projects; and

''(4) for pilot testing of new construction and retrofit technologies that may help achieve net-zero energy and net-zero carbon (as those terms are defined in section 443(a)).

"SEC. 443. NET-ZERO GOALS.

''(a) DEFINITIONS.—In this section:

''(1) ALLOWED CARBON OFFSET.—The term 'allowed carbon offset' means an allowed carbon offset as defined by the Federal Director of the Office of Federal High-Performance Green Buildings in consultation with the Administrator of the Environmental Protection Agency.

''(2) ALLOWED OFFSITE RENEWABLE ENERGY SOURCE.—The term 'allowed offsite renewable energy source' means an allowed offsite renewable energy source as defined by the Federal Director of the Office of Federal High-Performance Green Buildings in consultation with the Administrator of the Environmental Protection Agency—

''(A) including requirements for district energy systems, community sources, and purchase options; and

''(B) taking into consideration an efficiency-first strategy, optimization of carbon impact, and ensuring accountability.

''(3) NET-ZERO CARBON.—

''(A) IN GENERAL.—The term 'net-zero carbon' means, with respect to a highly energy-efficient building (as determined by the Administrator in consultation with the Administrator of the Environmental Protection Agency) or group of highly energy-efficient buildings, a building or group of buildings of which, for not less than 1 year, the carbon emissions resulting from building operations, as described in subparagraph (B), are equal to or less than the carbon emissions reduced or offset, as described in subparagraph (C).

''(B) CARBON EMISSIONS FROM BUILDING OPERATIONS.—Carbon emissions resulting from building operations—

''(i) shall include carbon related to energy consumption from onsite and offsite sources; and

''(ii) may include other sources of emissions, such as occupant transportation, water, waste, refrigerants, and embodied carbon of materials.

''(C) CARBON EMISSIONS REDUCED OR OFFSET.—Carbon emissions reduced or offset—

''(i) shall include carbon—

''(I) associated with exports of renewable energy generated on site; and

''(II) substantiated with ownership of renewable energy certificates; and

''(ii) may include—

''(I) allowed offsite renewable energy sources substantiated with renewable energy certificates; and

''(II) allowed carbon offsets.

''(4) NET-ZERO ENERGY.—

''(A) IN GENERAL.—The term 'net-zero energy' means, with respect to a highly energy-efficient building (as determined by the Administrator in consultation with the Administrator of the Environmental Protection Agency), a building for which, on a source energy basis, the annual delivered energy is less than or equal to the sum obtained by adding the onsite renewable exported energy and the allowed offsite renewable energy sources, as substantiated with renewable energy certificates.

''(B) INCLUSION.—A highly energy-efficient building is net-zero energy if it is located within a group of buildings for which, when treated as a unit, on a source energy basis, the annual delivered energy is less than or equal to the sum obtained by adding the onsite renewable exported energy and the allowed offsite renewable energy sources, as substantiated with renewable energy certificates.

''(5) NET-ZERO WASTE BUILDING.—Unless otherwise defined by the Federal Director of the Office of Federal High-Performance Green Buildings, the term 'net-zero waste building' means a building operated to reduce, reuse, recycle, compost, or recover solid waste streams that result in zero waste disposal to landfills or incinerators (except for hazardous and medical waste).

''(6) NET-ZERO WATER BUILDING.—

''(A) IN GENERAL.—Unless otherwise defined by the Federal Director of the Office of Federal High-Performance Green Buildings, the term 'net-zero water building' means a building that—

''(i) maximizes alternative water sources;

''(ii) minimizes wastewater discharge; and

''(iii) returns water to the original water source such that, for a 1-year period, the water consumption volume is equivalent to the sum obtained by adding the volume of alternative water use and the water returned to the original source during that 1-year period.

''(B) INCLUSION.—A building is a net-zero water building if it is located within a group of buildings that, when treated as a unit, meet the requirements described in clauses (i) through (iii) of subparagraph (A).

''(7) SCOPE 1 GREENHOUSE GAS EMISSIONS.—The term 'scope 1 greenhouse gas emissions' means direct emissions from sources that are owned or controlled by a Federal agency, including—

''(A) emissions from generation of electricity;

''(B) emissions from combustion of fuel for heating, cooling, or steam;

''(C) emissions from mobile sources;

''(D) fugitive emissions; and

''(E) process emissions.

''(8) SCOPE 2 GREENHOUSE GAS EMISSIONS.—The term 'scope 2 greenhouse gas emissions' means indirect emissions resulting from the generation of electricity, heat, or steam purchased by a Federal agency.

''(b) ESTABLISHMENT.—Subject to subsection (c), the Administrator shall—

''(1) for each of fiscal years 2021 through 2030, reduce aggregate portfolio-wide scope 1 greenhouse gas emissions and scope 2 greenhouse gas emissions (as measured in MTCO2-equivalents) at GSA facilities by at least 4 percent each fiscal year, so that the aggregate portfolio-wide scope 1 greenhouse gas emissions and scope 2 greenhouse gas emissions are reduced by not less than 40 percent by fiscal year 2030 relative to the aggregate portfolio-wide scope 1 greenhouse gas emissions and scope 2 greenhouse gas emissions at GSA facilities in fiscal year 2018; and

''(2) ensure that, in the case of the construction of a new GSA facility with more than 10,000 gross square feet—

''(A) for which a prospectus is submitted during the period of fiscal years 2021 through 2025, not less than 50 percent of cumulative gross floor area and not less than 25 percent

of cumulative building projects are designed to perform as net-zero energy buildings in operation, and, if feasible, net-zero carbon buildings, net-zero water buildings, and net-zero waste buildings;

''(B) for which a prospectus is submitted during the period of fiscal years 2026 through 2030, not less than 90 percent of cumulative gross floor area and not less than 45 percent of cumulative building projects are designed to perform as net-zero energy buildings in operation and, if feasible, net-zero carbon buildings, net-zero water buildings, and net-zero waste buildings; and

''(C) for which a prospectus is submitted in fiscal year 2031 or any fiscal year thereafter, not less than 100 percent of cumulative gross floor area and not less than 100 percent of cumulative building projects are designed to perform as net-zero energy buildings in operation and, if feasible, net-zero carbon buildings, net-zero water buildings, and net-zero waste buildings.

''(c) BUILDING EXCLUSION.—

''(1) IN GENERAL.—The Administrator may exclude from the requirements of subsection (b)(1) any new GSA facility for which net-zero energy is technically infeasible.

''(2) REPORT.—The Administrator shall include in the report submitted to the Secretary under section 548(a) of the National Energy Conservation Policy Act (42 U.S.C. 8258(a)) a list identifying each GSA facility excluded under paragraph (1).

''(d) INNOVATIVE BUILDING TECHNOLOGIES.—In carrying out subsection (b), the Administrator may use lifecycle cost effective (including the cost of carbon) innovative building technologies, including onsite energy storage, all-electric buildings, building-grid integration technologies, electric construction vehicles, and other technologies.

''(e) PRIVATE SECTOR FINANCING PRIORITY.—In carrying out renovation projects under this section, the Administrator shall prioritize projects in which Federal funds will be used to leverage private sector financing using public-private partnerships, including through energy savings performance contracts and other mechanisms.

''(f) FUNDS.—The Administrator shall use a portion of the funds made available under section 442(f) to carry out this section.

''SEC. 444. ZERO EMISSION VEHICLE INFRASTRUCTURE GOALS.

''(a) ANNUAL GOALS.—The Administrator shall—

''(1) develop annual goals for deployment of zero emission vehicle infrastructure, including electric vehicle supply equipment, at GSA facilities such that by December 31, 2030, at least 50 percent of GSA facilities with 200 or more daily employees and visitors offer zero emission vehicle charging or fueling; and

''(2) develop guidance to ensure progress towards those annual goals.

''(b) PLAN.—The Administrator shall prepare a detailed plan—

''(1) to achieve the goals described in subsection (a)(1); and

''(2) that—

''(A) identifies particular GSA facilities or campuses as priority facilities or campuses, as applicable, at which to achieve those goals, including by considering demand for zero emission vehicle charging and fueling, locations of zero emission vehicle fleets of the General Services Administration and tenant Federal agencies, locations relevant to State zero emission vehicle charging and fueling needs, geographical gaps in zero emission vehicle charging infrastructure, availability of incentives, and other factors; and

''(B) includes a requirement that all applicable electric vehicle supply equipment is certified under the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a).

''(c) INCLUSION IN PROJECTS.—The Administrator shall, to the maximum extent practicable, ensure that appropriate zero emission vehicle infrastructure, including electric vehicle supply equipment and electric vehicle infrastructure, are included in, with respect to a GSA facility—

''(1) any prospectus for a construction, alteration, or lease project;

''(2) any prospectus for an alteration of a leased building;

''(3) any contract for parking lot paving or repaving; and

''(4) any other appropriate project.

''(d) PRIVATE SECTOR FINANCING.—In carrying out this section, the Administrator is encouraged to use funds to leverage private sector financing if doing so is advantageous to the General Services Administration.

''(e) REPORT.—Not later than 2 years after the date of enactment of this section, the Administrator shall submit to Congress a report describing the progress made in meeting the goals described in subsection (a)(1).

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator $50,000,000—

''(1) to achieve the zero emission vehicle infrastructure goals developed under subsection (a)(1), including through projects in support of those goals; and

''(2) for the cost of any additional employees, contractors, and training needed to support those goals.

''SEC. 445. DEEP ENERGY RETROFIT GOALS.

''(a) DEFINITION OF DEEP ENERGY RETROFIT PROJECT.—In this section, the term 'deep energy retrofit project' means a project that—

''(1) reduces the energy consumption of a GSA facility by not less than 35 percent as compared to the energy consumption of the GSA facility before the project;

''(2) moves a facility toward net-zero energy (as defined in section 443(a)); and

''(3) may include water efficiency and distributed energy resources.

''(b) ESTABLISHMENT.—Subject to the availability of appropriated funds, the Administrator shall, for each of fiscal years 2021 through 2030, obligate funds for deep energy retrofit projects that, in total, are carried out at not less than 3 percent of GSA facilities, which shall represent not less than 5 percent of the total square footage of all GSA facilities.

''(c) RENOVATIONS.—The Administrator shall—

''(1) seek to coordinate deep energy retrofit projects with other building renovations and capital projects; and

''(2) in conducting preplanning for a prospective capital project, evaluate the appropriateness, and the costs and benefits, of including a deep energy retrofit project.

''(d) PRIVATE SECTOR FINANCING PRIORITY.—

''(1) IN GENERAL.—In carrying out this section, the Administrator shall prioritize projects in which Federal funds will be used to leverage private sector financing using public-private partnerships, including through energy savings performance contracts and other mechanisms.

''(2) ANALYSIS.—The Administrator shall select priority projects under paragraph (1) on the basis of analysis that ensures a maximum beneficial use of private finance for the project.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1494) is amended by adding after the item relating to section 441 the following:

''Sec. 442. Energy and water efficiency goals.
''Sec. 443. Net-zero goals.
''Sec. 444. Zero emission vehicle infrastructure goals.
''Sec. 445. Deep energy retrofit goals.''.

SEC. 41304. RESILIENT AND HEALTHY BUILDINGS.

(a) IN GENERAL.—Subtitle C of title IV of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1607) (as amended by section 41303(a)) is amended by adding at the end the following:

''SEC. 446. RESILIENT AND HEALTHY BUILDINGS.

''(a) DEFINITIONS.—In this section:

''(1) FLOOD RISK AREA.—

''(A) IN GENERAL.—Subject to subparagraph (B), the term 'flood risk area' means—

''(i) an area delineated by an elevation of 2 feet above the 100-year floodplain; and

''(ii) an area delineated by an elevation equal to the 500-year floodplain.

''(B) CLIMATE SCIENCE.—In applying the definition of the term 'flood risk area' for purposes of carrying out this section, the Administrator shall consider current climate science in identifying the elevation of the 100-year and 500-year floodplain.

''(2) RESILIENCE.—The term 'resilience' means the ability to adapt to changing conditions and withstand and rapidly recover from disruption due to an emergency.

''(b) FLOOD PROTECTION.—For any construction or rehabilitation project administered by the Administrator, the Administrator shall—

''(1) determine whether there is a flood risk area in the location of the project; and

''(2) in the case of a positive determination under paragraph (1)—

''(A) to the extent possible, avoid new construction in the flood risk area; and

''(B) if new construction cannot be avoided under subparagraph (A)—

''(i) ensure that the new construction will—

''(I) raise all essential services 5 feet above the applicable floodplain; and

''(II) include a design for quick recovery in a flooding event;

''(ii) rehabilitate existing buildings located in the flood risk area to better withstand flood risk; and

''(iii) develop a flood vulnerability assessment and mitigation plan to protect life and property.

''(c) RESILIENCE METRICS.—The Administrator shall—

''(1) pilot test metrics to measure and improve the resilience of GSA facilities, including the physical aspects of the facilities, the health and wellness of occupants of the facilities, and communities and systems serving or served by the facilities; and

''(2) in carrying out paragraph (1), consider emerging resilience tools and rating systems for resilience, including building-grid optimization.

''(d) GREEN INFRASTRUCTURE.—The Administrator shall prioritize the use of appropriate green infrastructure features on federally owned property—

''(1) to improve stormwater and wastewater management;

''(2) to alleviate onsite and offsite flooding and water quality impacts; and

''(3) to reduce and mitigate risks of climate change to GSA facilities and proximate communities.

''(e) OPERATING BUILDINGS FOR HEALTH.—

''(1) METRICS AND DATA.—The Administrator shall—

''(A) implement human-centric metrics and measurement tools to improve the indoor environmental qualities, including air and water quality, that support improved health and wellness of Federal employees; and

''(B) collect, manage, and analyze the data generated by the metrics and tools implemented under subparagraph (A).

''(2) STRATEGIC PLAN.—Not later than 1 year after the date of enactment of the GREEN Building Jobs Act of 2021, the Administrator shall develop and make publicly available a strategic plan for the design, construction, and operation of GSA facilities that—

''(A) is based on the data described in paragraph (1)(B);

''(B) provides for implementation of priority practices by the end of fiscal year 2022; and

''(C) may provide for phased implementation of additional effective practices.

''(3) ADMINISTRATION.—In carrying out paragraphs (1) and (2), the Administrator shall—

''(A) consider emerging occupant-centric environmental health monitoring tools and building control systems for improved health and wellness, including approaches such as measurement of accumulated daily circadian light dosage, surveys of occupant satisfaction and perceptions, assessments of physical activity, social interaction, and mobility, and measurement of reduced exposure to contaminants in air and drinking water;

''(B) incorporate strategies to reduce risk of transmission of viruses and other pathogens; and

''(C)(i) benchmark health and well-being management performance to leadership standards; and

''(ii) include in certification activities the strategies and performance measures considered and used under this subsection as tools to monitor and improve outcomes.

''(f) GUIDANCE; TRAINING.—The Administrator, acting through the Federal Director of the Office of Federal High-Performance Green Buildings, may issue guidance and provide training to implement this section.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator $300,000,000 to carry out this section, to remain available until expended.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1494) (as amended by section 41303(b)) is amended by adding after the item relating to section 445 the following:

''Sec. 446. Resilient and healthy buildings.''.

SEC. 41305. FEDERAL BUILDING IMPROVEMENTS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) GSA FACILITY.—The term ''GSA facility'' has the meaning given the term in section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061).

(b) ENERGY EFFICIENCY IMPROVEMENTS.—

(1) IN GENERAL.—The Administrator shall carry out energy efficiency improvements to GSA facilities, including—

(A) actionable energy projects—

(i) identified in the most recent energy and water evaluation for a facility conducted—

(I) under section 543(f)(3) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(3)); and

(II) prior to 2020; and

(ii) that are life-cycle cost-effective;

(B) additional measures to support the goals of each of sections 442 through 444 of the Energy Independence and Security Act of 2007 (Public Law 110–140);

(C) additional measures to support activities under section 445 of the Energy Independence and Security Act of 2007 (Public Law 110–140); and

(D) combining projects to reduce cost, administration, or implementation time, or otherwise add value.

(2) LEVERAGING PRIVATE SECTOR FUNDS.—

(A) IN GENERAL.—In carrying out improvements under paragraph (1) in a fiscal-year period, the Administrator shall, to the maximum extent practicable, use not less than the amount made available under paragraph (3) for that fiscal year to leverage private sector financing using public-private partnerships, including through energy savings performance contracts and other mechanisms.

(B) PERFORMANCE REQUIREMENT.—Any public-private partnership entered into pursuant to subparagraph (A) shall include a performance component that ensures effective use of funds, lasting energy and cost savings, and job creation.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this subsection $1,000,000,000, to remain available until expended.

SEC. 41306. LONG-TERM CONTRACTS FOR RENEWABLE ENERGY.

(a) DEFINITIONS.—In this section:

(1) COGENERATION FACILITY.—The term ''cogeneration facility'' has the meaning given the term in section 3 of the Federal Power Act (16 U.S.C. 796).

(2) RENEWABLE ENERGY SOURCE.—The term ''renewable energy source'' has the meaning given the term ''renewable energy'' in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)).

(b) CONTRACTS.—

(1) IN GENERAL.—The Administrator of General Services may enter into a contract for the acquisition of energy generated from renewable energy sources or from cogeneration facilities.

(2) RENEWABLE ENERGY CERTIFICATES.—In entering into a contract under paragraph (1), the Administrator of General Services shall—

(A) include in the contract the acquisition of renewable energy certificates; or

(B) secure by other means renewable energy certificates of equal term and quantity to the term and quantity of energy procured under the contract.

(3) TERM OF CONTRACT.—Notwithstanding section 501(b)(1)(B) of title 40, United States Code, the term of a contract entered into under this subsection shall be not more than 30 years.

SEC. 41307. RECOMMENDATIONS.

(a) DEFINITION OF ADMINISTRATOR.—In this section, the term ''Administrator'' means the Administrator of General Services, acting through the Federal Director of the Office of High-Performance Green Buildings.

(b) SUSTAINABILITY AND RESILIENCE.—The Administrator, in consultation with the Secretary of Health and Human Services, the Secretary of Homeland Security, the Administrator of the Federal Emergency Management Agency, the Secretary of Veterans Affairs, the Administrator of the Environmental Protection Agency, the Secretary, and the Chair of the Council on Environmental Quality, shall develop recommendations for sustainability and resilience at hospitals and health care facilities, including by—

(1) incorporating building and health sciences research related to health and wellness;

(2) identifying relevant metrics;

(3) prioritizing proven strategies;

(4) referencing, as appropriate, criteria in the Guiding Principles for Sustainable Federal Buildings; and

(5) developing corresponding recommended contract provisions and other templates for use in procurement.

(c) COMPLIANCE WITH GUIDING PRINCIPLES FOR SUSTAINABLE FEDERAL BUILDINGS.—The Administrator, in consultation with the Administrator of the Environmental Protection Agency, the Director of the Federal Energy Management Program, and the Chair of the Council on Environmental Quality, shall develop recommendations for systems, including customized Energy Star Portfolio Manager fields and dashboards, for use by Federal facilities in tracking compliance and progress of new and existing buildings with the Guiding Principles for Sustainable Federal Buildings, including by considering—

(1) campus, installation, and portfolio approaches;

(2) suggested targets; and

(3) relevant metrics.

SEC. 41308. STUDY ON FEDERAL BUILDINGS FUND LENDING PROGRAM.

Not later than 1 year after the date of enactment of this Act, the Administrator of General Services, acting through the Federal Director of the Office of High-Performance Green Buildings (referred to in this section as the ''Administrator''), shall make publicly available a report that evaluates and describes the potential efficacy, costs, and benefits of a program under which the Administrator would—

(1) borrow funds from the Federal Buildings Fund for building energy and water efficiency and resilience retrofits, including through projects that use funds to leverage private sector financing, including through energy savings performance contracts; and

(2) repay the Federal Buildings Fund from utility savings.

SEC. 41309. ANNUAL REPORTING ON LEVERAGED PRIVATE FINANCING.

(a) IN GENERAL.—For each of fiscal years 2021 through 2030, the Administrator of General Services, acting through the Federal Director of the Office of High-Performance Green Buildings (referred to in this section as the ''Administrator''), shall include the information described in subsection (b)—

(1) in the annual report submitted to the Secretary pursuant to section 548(a) of the National Energy Conservation Policy Act (42 U.S.C. 8258(a));

(2) as a summary in the annual report prepared by the Administrator pursuant to section 527 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17143); and

(3) as a summary in the annual General Services Administration Sustainability Report and Implementation Plan.

(b) INFORMATION.—The information referred to in subsection (a) is, with respect to the fiscal year covered by a report—

(1) the investment value and number of energy savings performance contracts entered into by the Administrator;

(2) the investment value and number of other forms of public-private partnerships that leverage private sector financing entered into by the Administrator for energy efficiency projects;

(3) for each of the 2 fiscal years following the fiscal year covered by the report, the projected value and number described in each of paragraphs (1) and (2);

(4) the total estimated implementation costs and estimated lifecycle cost savings of outstanding energy conservation measures at facilities that meet the criteria described in section 543(f)(2)(B) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(2)(B)); and

(5) recommendations to increase the aggregate benefits and value provided to the General Services Administration through public-private partnerships with respect to energy efficiency, renewable energy, and energy resilience.

SEC. 41310. COORDINATION WITH STATES.

The Administrator of General Services, acting through the Federal Director of the Office of High-Performance Green Buildings,

is encouraged to carry out this title and the amendments made by this title in coordination with States, including by—

(1) sharing resources and providing technical advice to States regarding net-zero buildings and carbon reducing technologies;

(2) coordinating with multistate organizations on charging infrastructure technology, procurement, and strategic locations relating to zero-emission vehicles;

(3) allowing State officials to participate in appropriate training opportunities; and

(4) coordinating with States on renewable energy procurement benefitting a Federal facility and local communities.

SA 2578. Mr. WHITEHOUSE (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. PREVENTING INTERNATIONAL CYBERCRIME.

(a) PREDICATE OFFENSES.—Part I of title 18, United States Code, is amended—

(1) in section 1956(c)(7)(D)—

(A) by striking ''or section 2339D'' and inserting ''section 2339D''; and

(B) by striking ''of this title, section 46502'' and inserting '', or section 2512 (relating to the manufacture, distribution, possession, and advertising of wire, oral, or electronic communication intercepting devices) of this title, section 46502''; and

(2) in section 1961(1), by inserting ''section 1030 (relating to fraud and related activity in connection with computers) if the act indictable under section 1030 is felonious,'' before ''section 1084''.

(b) FORFEITURE.—

(1) IN GENERAL.—Section 2513 of title 18, United States Code, is amended to read as follows:

''§ 2513. Confiscation of wire, oral, or electronic communication intercepting devices and other property

''(a) IN GENERAL.—The court, in imposing a sentence on any person convicted of a violation of section 2511 or 2512, or convicted of conspiracy to violate section 2511 or 2512, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

''(1) such person's interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of a violation of section 2511 or 2512; and

''(2) any property, real or personal, constituting or derived from any gross proceeds, or any property traceable to such property, that such person obtained or retained directly or indirectly as a result of a violation of section 2511 or 2512.

''(b) FORFEITURE PROCEDURES.—Pursuant to section 2461(c) of title 28, the procedures of section 413 of the Controlled Substances Act (21 U.S.C. 853), other than subsection (d) thereof, shall apply to criminal forfeitures under this section.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 119 is amended by striking the item relating to section 2513 and inserting the following:

''2513. Confiscation of wire, oral, or electronic communication intercepting devices and other property.''.

(c) SHUTTING DOWN BOTNETS.—

(1) AMENDMENT.—Section 1345 of title 18, United States Code, is amended—

(A) in the heading, by inserting ''**and abuse**'' after ''**fraud**'';

(B) in subsection (a)—

(i) in paragraph (1)—

(I) in subparagraph (B), by striking ''or'' at the end;

(II) in subparagraph (C), by inserting ''or'' after the semicolon; and

(III) by inserting after subparagraph (C) the following:

''(D) violating or about to violate section 1030(a)(5) of this title where such conduct has caused or would cause damage (as defined in section 1030) without authorization to 100 or more protected computers (as defined in section 1030) during any 1-year period, including by—

''(i) impairing the availability or integrity of the protected computers without authorization; or

''(ii) installing or maintaining control over malicious software on the protected computers that, without authorization, has caused or would cause damage to the protected computers;''; and

(ii) in paragraph (2), in the matter preceding subparagraph (A), by inserting '', a violation described in subsection (a)(1)(D),'' before ''or a Federal''; and

(C) by adding at the end the following:

''(c) A restraining order, prohibition, or other action by a court described in subsection (b), if issued in circumstances described in subsection (a)(1)(D), may, upon application of the Attorney General—

''(1) specify that no cause of action shall lie in any court against a person for complying with the restraining order, prohibition, or other action by a court; and

''(2) provide that the United States shall pay to such person a fee for reimbursement for such costs as are reasonably necessary and which have been directly incurred in complying with the restraining order, prohibition, or other action by a court.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 63 of title 18, United States Code, is amended by striking the item relating to section 1345 and inserting the following:

''1345. Injunctions against fraud and abuse.''.

(d) AGGRAVATED DAMAGE TO COMPUTERS USED TO OPERATE OR ACCESS CRITICAL SYSTEMS AND ASSETS.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1030 the following:

''§ 1030A. Aggravated damage to computers used to operate or access critical systems and assets

''(a) OFFENSE.—It shall be unlawful, during and in relation to a felony violation of section 1030, to knowingly cause or attempt to cause damage to a computer used to operate or access critical systems and assets, if such damage results in (or, in the case of an attempted offense, would, if completed, have resulted in) the substantial impairment—

''(1) of the operation of the computer; or

''(2) of the critical systems and assets associated with such computer.

''(b) PENALTY.—Any person who violates subsection (a) shall, in addition to the term of punishment provided for the felony violation of section 1030, be fined under this title, imprisoned for not more than 20 years, or both.

''(c) PROHIBITION ON PROBATION.—Notwithstanding any other provision of law, a court shall not place any person convicted of a violation of this section on probation;

''(d) DEFINITIONS.—In this section—

''(1) the terms 'computer' and 'damage' have the meanings given the terms in section 1030; and

''(2) the term 'critical systems and assets' means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have catastrophic regional or national effects on public health or safety, economic security, or national security, including voter registration databases, voting machines, and other communications systems that manage the election process or report and display results on behalf of State and local governments.''.

(2) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1030 the following:

''1030A. Aggravated damage to computers used to operate or access critical systems and assets.''.

(e) STOPPING DEALING IN BOTNETS; FORFEITURE.—Section 1030 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (7), by adding ''or'' at the end; and

(B) by inserting after paragraph (7) the following:

''(8) intentionally deals in the means of access to a protected computer, if—

''(A) the dealer knows or has reason to know the protected computer has been damaged in a manner prohibited by this section; and

''(B) the promise or agreement to pay for the means of access is made by, or on behalf of, a person the dealer knows or has reason to know intends to use the means of access to—

''(i) damage a protected computer in a manner prohibited by this section; or

''(ii) violate section 1037 or 1343;'';

(2) in subsection (c)(3)—

(A) in subparagraph (A), by striking ''(a)(4) or (a)(7)'' and inserting ''(a)(4), (a)(7), or (a)(8)''; and

(B) in subparagraph (B), by striking ''(a)(4), or (a)(7)'' and inserting ''(a)(4), (a)(7), or (a)(8)''; and

(3) in subsection (e)—

(A) in paragraph (13), by striking ''and'' at the end;

(B) in paragraph (14), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(15) the term 'deal' means transfer, or otherwise dispose of, to another as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value.'';

(4) in subsection (g), in the first sentence, by inserting '', except for a violation of subsection (a)(8),'' after ''of this section''; and

(5) by striking subsection (i) and inserting the following:

''(i) CRIMINAL FORFEITURE.—

''(1) IN GENERAL.—The court, in imposing a sentence on any person convicted of a violation of this section, or convicted of conspiracy to violate this section, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

''(A) such person's interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and

''(B) any property, real or personal, constituting or derived from any gross proceeds, or any property traceable to such property, that such person obtained, directly or indirectly, as a result of such violation.

''(2) APPLICABLE PROVISIONS.—The criminal forfeiture of property under this subsection,

including any seizure and disposition of the property, and any related judicial proceeding, shall be governed by the procedures of section 413 of the Controlled Substances Act (21 U.S.C. 853), except subsection (d) of that section.''.

SA 2579. Mr. PADILLA (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 63, line 17, strike ''and''.

On page 65, line 24, strike the period at the end and insert ''; and''.

On page 65, after line 24, insert the following:

(4) by adding at the end the following:

''(h) IMPOSITION OF DEADLINE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may not require any project funded under this section to advance to the construction obligation stage before the date that is the last day of the sixth fiscal year after the later of—

''(A) the date on which the Governor declared the emergency, as described in subsection (d)(1)(A); and

''(B) the date on which the President declared the emergency to be a major disaster, as described in that subsection.

''(2) EXTENSION OF DEADLINE.—If the Secretary imposes a deadline for advancement to the construction obligation stage pursuant to paragraph (1), the Secretary may—

''(A) on the request of the Governor of the State, issue an extension of not more than 1 year to complete the advancement; and

''(B) issue additional extensions after the expiration of any extension, if the Secretary determines the Governor of the State has provided suitable justification to warrant such an extension.''.

On page 1266, strike lines 4 and 5 and insert the following:

has insurance required under State law for all structures related to the grant application.

''(g) IMPOSITION OF DEADLINE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may not require any project funded pursuant to this section to advance to the construction obligation stage before the date that is the last day of the sixth fiscal year after the later of—

''(A) the date on which the Governor declared the emergency, as described in subsection (a)(1); or

''(B) the date on which the President declared the emergency to be a major disaster, as described in that subsection.

''(2) EXTENSION OF DEADLINE.—If the Secretary imposes a deadline for advancement to the construction obligation stage pursuant to paragraph (1), the Secretary may—

''(A) on the request of the Governor of the State, issue an extension of not more than 1 year to complete the advancement, and

''(B) issue additional extensions after the expiration of any extension, if the Secretary determines the Governor of the State has provided suitable justification to warrant such an extension.''.

SA 2580. Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 50, lines 20 and 21, strike ''(32), (33), (34), (35), and (36)'' and insert ''(33), (34), (35), (36), and (37)''.

On page 52, strike lines 7 through 9 and insert the following:

natural disasters.'';

(5) by inserting after paragraph (31) (as so redesignated) the following:

''(32) TRANSPORTATION DEMAND MANAGEMENT.—The term 'transportation demand management' means the use of strategies to inform and encourage travelers to maximize the efficiency of a transportation system, leading to improved mobility, reduced congestion, and lower vehicle emissions, including strategies that use planning, programs, policies, marketing, communications, incentives, pricing, data, and technology.''; and

(6) in subparagraph (A) of paragraph (33) (as

On page 126, line 17, strike ''or''.

On page 127, strike line 3 and insert the following:

a national ambient air quality standard; or

''(12) if the project or program shifts traffic demand through the use of transportation demand management strategies.'';

On page 242, line 22, strike ''and''.

On page 242, between lines 23 and 24, insert the following:

(iv) travel demand impacts from State and local transportation demand management strategies; and

On page 341, line 17, strike ''and''.

On page 341, strike line 21 and insert the following:

nonpeak periods; and

''(E) transportation demand management strategies.

SA 2581. Mr. PADILLA (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1253, strike line 23 and insert the following:

(1) in subsection (a)(1)—

(A) by striking ''means a State'' and inserting the following: ''means—

''(A) a State'';

(B) by striking ''Government.'' and inserting ''Government; or''; and

(C) by adding at the end the following:

''(B) a State or local governmental entity that operates a public transportation service and receives and administers Federal transit program grant funds for both rural and urban areas.'';

(2) in subsection (c)—

On page 1254, line 23, strike ''(2)'' and insert ''(3)''.

SA 2582. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2486, line 12, insert ''*Provided further*, That in allocating funds under the previous proviso, the Secretary of the Army shall prioritize ship channel deepening projects:'' after ''322):''.

SA 2583. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division D, add the following:

SEC. 408_____. TREATMENT OF CERTAIN LAND AND RESOURCE MANAGEMENT PLANS AND LAND USE PLANS.

(a) NATIONAL FOREST SYSTEM LAND AND RESOURCE MANAGEMENT PLAN.—Section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) is amended by adding at the end the following:

''(n) COMPLETED FEDERAL ACTION.—A land and resource management plan for a unit of the National Forest System approved, amended, or revised under this section shall not—

''(1) be considered to be a continuing Federal agency action; or

''(2) constitute a discretionary Federal involvement or control for a distinct Federal purpose.''.

(b) BUREAU OF LAND MANAGEMENT LAND USE PLANS.—Section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) is amended by adding at the end the following:

''(g) COMPLETED FEDERAL ACTION.—A land management plan approved, amended, or revised under this section shall not—

''(1) be considered to be a continuing Federal agency action; or

''(2) constitute a discretionary Federal involvement or control for a distinct Federal purpose.''.

SA 2584. Mr. CORNYN (for himself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. ___. AUTHORITY TO USE CORONAVIRUS RELIEF FUNDS FOR INFRASTRUCTURE PROJECTS.

(a) IN GENERAL.—Title VI of the Social Security Act (42 U.S.C. 801 et seq.) is amended—

(1) in section 602—

(A) in subsection (a)(1), by inserting ''(except as provided in subsection (c)(4))'' after ''December 31, 2024''; and

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (4)''; and

(ii) by adding at the end the following new paragraph:

''(4) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

''(A) IN GENERAL.—Subject to subparagraph (C), notwithstanding any other provision of law, a State, territory, or Tribal government receiving a payment under this section may use funds provided under such payment for projects described in subparagraph (B), including—

''(i) in the case of a project receiving a grant under section 117 of title 23, United States Code, section 5309 or 6701 of title 49, United States Code, or section 3005(b) of the FAST Act (49 U.S.C. 5309 note; Public Law 114-94), to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project receiving credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

''(I) to satisfy a non-Federal share requirement applicable to such a project; and

''(II) to repay a loan provided under such program.

''(B) PROJECTS DESCRIBED.—A project referred to in subparagraph (A) is any of the following:

''(i) A project that receives a grant under section 117 of title 23, United States Code.

''(ii) A project eligible under section 119 of title 23, United States Code.

''(iii) A project eligible under section 124 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(iv) A project eligible under section 133 of title 23, United States Code.

''(v) An activity to carry out section 134 of title 23, United States Code.

''(vi) A project eligible under section 148 of title 23, United States Code.

''(vii) A project eligible under section 149 of title 23, United States Code.

''(viii) A project eligible under section 151 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(ix) A project eligible under section 165 of title 23, United States Code.

''(x) A project eligible under section 167 of title 23, United States Code.

''(xi) A project eligible under section 173 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xii) A project eligible under section 175 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xiii) A project eligible under section 176 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xiv) A project eligible under section 202 of title 23, United States Code.

''(xv) A project eligible under section 203 of title 23, United States Code.

''(xvi) A project eligible under section 204 of title 23, United States Code.

''(xvii) A project that receives a grant under the program for national infrastructure investments (commonly known as the 'Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program').

''(xviii) A project that receives credit assistance under the TIFIA program under chapter 6 of title 23, United States Code.

''(xix) A project that furthers the completion of a designated route of the Appalachian Development Highway System under section 14501 of title 40, United States Code.

''(xx) A project that receives a grant under section 5307 of title 49, United States Code.

''(xxi) A project that receives a grant under section 5309 of title 49, United States Code.

''(xxii) A project that receives a grant under section 5311 of title 49, United States Code.

''(xxiii) A project that receives a grant under section 5337 of title 49, United States Code.

''(xxiv) A project that receives a grant under section 5339 of title 49, United States Code.

''(xxv) A project that receives a grant under section 6703 of title 49, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xxvi) A project that receives a grant under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

''(xxvii) A project eligible under the bridge replacement, rehabilitation, preservation, protection, and construction program under paragraph (1) under the heading 'HIGHWAY INFRASTRUCTURE PROGRAM' under the heading 'FEDERAL HIGHWAY ADMINISTRATION' under the heading 'DEPARTMENT OF TRANSPORTATION' under title VIII of division J of the Infrastructure Investment and Jobs Act.

''(C) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

''(I) IN GENERAL.—The total amount that a State, territory, or Tribal government may use from a payment made under this section for uses described in subparagraph (A) shall not exceed 30 percent of such payment.

''(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1)(D), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

''(ii) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section shall not be used for operating expenses of a project described in clauses (xx) through (xxiv) of subparagraph (B).

''(iii) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) the requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section that are used pursuant to subparagraph (A) for a project described in clause (xxvi) of subparagraph (B) that relates to broadband infrastructure;

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section that are used for projects described in subparagraph (B); and

''(III) a State government receiving a payment under this section may use funds provided under such payment for projects described in clause (i) of subparagraph (B) that—

''(aa) demonstrate progress in achieving a state of good repair as required by the State's asset management plan under section 119(e) of title 23, United States Code; and

''(bb) support the achievement of 1 or more performance targets of the State established under section 150 of title 23, United States Code.

''(iv) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iii) to the appropriate Federal agency.

''(D) AVAILABILITY.—Funds provided under a payment made under this section to a State, territory, or Tribal government shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.''; and

(2) in subsection 603—

(A) in subsection (a), by inserting ''(except as provided in subsection (c)(5))'' after ''December 31, 2024''; and

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraphs (3) and (4)'' and inserting ''paragraphs (3), (4), and (5)''; and

(ii) by adding at the end the following new paragraph:

''(5) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), notwithstanding any other provision of law, a metropolitan city, nonentitlement unit of local government, or county receiving a payment under this section may use funds provided under such payment for projects described in subparagraph (B) of section 602(c)(4), including—

''(i) in the case of a project receiving a grant under section 117 of title 23, United States Code, section 5309 or 6701 of title 49, United States Code, or section 3005(b) of the FAST Act (49 U.S.C. 5309 note; Public Law 114-94), to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project receiving credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

''(I) to satisfy a non-Federal share requirement applicable to such a project; and

''(II) to repay a loan provided under such program.

''(B) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

''(I) IN GENERAL.—The total amount that a metropolitan city, nonentitlement unit of local government, or county may use from a payment made under this section for uses described in subparagraph (A) shall not exceed 30 percent of such payment.

''(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1)(D), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

''(ii) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section shall not be used for operating expenses of a project described in clauses (xx) through (xxiv) of section 602(c)(4)(B).

''(iii) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) the requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section that are used pursuant to subparagraph (A) for a project described in clause (xxvi) of section 602(c)(4)(B) that relates to broadband infrastructure; and

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section

that are used for projects described in section 602(c)(4)(B).

''(iv) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iii) to the appropriate Federal agency.

''(C) AVAILABILITY.—Funds provided under a payment made under this section to a metropolitan city, nonentitlement unit of local government, or county shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.''.

(b) TECHNICAL AMENDMENTS.—Sections 602(c)(3) and 603(c)(3) of title VI of the Social Security Act (42 U.S.C. 802(c)(3), 803(c)(3)) are each amended by striking ''paragraph (17) of''.

(c) GUIDANCE AND EFFECTIVE DATE.—

(1) GUIDANCE OR RULE.—Within 60 days of the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of Transportation, shall issue guidance or promulgate a rule to carry out this section.

(2) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the issuance of guidance or the promulgation of a rule described in paragraph (1).

(d) DEPARTMENT OF THE TREASURY ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the unobligated balances from amounts made available to the Secretary of the Treasury (referred to in this subsection as the ''Secretary'') for administrative expenses pursuant to the provisions specified in paragraph (2) shall be available to the Secretary (in addition to any other appropriations provided for such purpose) for any administrative expenses of the Department of the Treasury determined by the Secretary to be necessary to respond to the coronavirus emergency, including any expenses necessary to implement any provision of—

(A) the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136);

(B) division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260);

(C) the American Rescue Plan Act (Public Law 117–2); or

(D) title VI of the Social Security Act (42 U.S.C. 801 et seq.).

(2) PROVISIONS SPECIFIED.—The provisions specified in this paragraph are the following:

(A) Sections 4003(f) and 4112(b) of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

(B) Section 421(f)(2) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(C) Sections 3201(a)(2)(B), 3206(d)(1)(A), and 7301(b)(5) of the American Rescue Plan Act of 2021 (Public Law 117–2).

(D) Section 602(a)(2) of the Social Security Act (42 U.S.C. 802(a)(2)).

SA 2585. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division I, add the following:

SEC. 90009. CBO ANALYSIS OF ECONOMIC EFFECTS.

The Congressional Budget Office shall submit to Congress a report that provides an analysis of the economic effects of this Act and the amendments made by this Act with respect to each of fiscal years 2021 through 2031, which shall include an analysis of the effects on the gross domestic product of, employment in, wages in, and inflation in the United States.

SA 2586. Mr. SULLIVAN (for himself, Ms. MURKOWSKI, Ms. HIRONO, and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. ___. EXTENSION OF COVERAGE OF CORONAVIRUS RELIEF FUND PAYMENTS TO TRIBAL GOVERNMENTS.

Section 601(d)(3) of the Social Security Act (42 U.S.C. 801(d)(3)) is amended by inserting ''(or, in the case of a Tribal government, December 31, 2022)'' after ''December 31, 2021''.

SA 2587. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 40113 of division D, add the following:

(e) CROSS BORDER FLOOD PROTECTION.—

(1) DEFINITIONS.—In this subsection:

(A) ASSISTANT SECRETARY.—The term ''Assistant Secretary'' means the Assistant Secretary of the Army for Civil Works.

(B) COLUMBIA RIVER TREATY.—The term ''Columbia River Treaty'' means the Treaty Relating to Cooperative Development of the Water Resources of the Columbia River Basin, signed at Washington January 17, 1961 (15 UST 1555; TIAS 5638).

(2) AUTHORIZATION.—To maintain and ensure the current level of domestic flood protection provided under the Columbia River Treaty, the Assistant Secretary may make expenditures for the purpose of—

(A) constructing, enhancing, or maintaining Columbia River Basin flood risk management projects in the United States; and

(B) acquiring flood risk management services from the Province of British Columbia, or a crown corporation owned by the Province of British Columbia.

(3) CRITERIA.—Expenditures authorized under paragraph (2) shall—

(A) take into account changing water cycles and the likelihood of more frequent and intense severe weather events;

(B) be included in the annual budget for civil works submitted by the Assistant Secretary to Congress; and

(C) occur after September 16, 2024.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Assistant Secretary to carry out this subsection $800,000,000 for the period of fiscal years 2022 through 2026, to remain available until expended.

SA 2588. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1379, line 6, strike ''and''.

Beginning on page 1379, strike line 7 and all that follows through page 1380, line 2, and insert the following:

(B) establish financial performance metrics; and

(C) comply with all applicable Federal laws and applicable Federal Tribal trust and treaty responsibilities.

(3) ENGAGEMENT.—Prior to issuing the updated financial plan required under paragraph (1), the Administrator shall, in a manner determined by the Administrator—

(A) engage with Indian Tribes, power and transmission customers, and other stakeholders with respect to a draft of the updated plan; and

(B) consider as a relevant factor any recommendations from Indian Tribes, power and transmission customers, and other stakeholders regarding prioritization of asset investments.

(c) CONSULTATION.—The Administrator shall, in a manner determined by the Administrator, use periodic program reviews to engage with Indian Tribes, power and transmission customers, and other stakeholders with respect to the financial and cost management efforts of the Administrator.

(d) USE OF FUNDS.—In using funds derived from the borrowing authority made available by subsection (a), the Administrator shall, in a manner determined by the Administrator and consistent with all applicable laws, implement policies that are consistent with—

(1) applicable Tribal trust and treaty responsibilities;

(2) obtaining the widest possible diversified use of electric energy at the lowest possible power and transmission rates consistent with sound business principles; and

(3) protecting, mitigating, and enhancing the fish and wildlife, including related spawning grounds and habitat, of the Columbia River and its tributaries, particularly anadromous fish.

On page 1380, line 3, strike ''(d)'' and insert ''(e)''.

On page 1385, line 21, insert '', affected Indian Tribes,'' after ''Canada''.

On page 1386, line 14, strike ''and''.

On page 1386, line 19, strike the period and insert a semicolon.

On page 1386, between lines 19 and 20, insert the following:

(E) to mitigate impacts to fish resources and water quality resulting from the rehabilitation and enhancement under this subsection; and

(F) to avoid or alternatively minimize any reduction in the payments required by—

(i) section 4(b) of the Confederated Tribes of the Colville Reservation Grand Coulee Dam Settlement Act (Public Law 103–436; 108 Stat. 4578); and

(ii) section 5 of the Spokane Tribe of Indians of the Spokane Reservation Equitable Compensation Act (Public Law 116–100; 133 Stat. 3258).

On page 1387, line 24, strike ''and''.

On page 1388, line 3, strike the period and insert the following: ''; and''.

On page 1388, between lines 3 and 4, insert the following:

(E) affected Indian Tribes.

SA 2589. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1463, line 3, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1463, line 6, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1463, lines 9 and 10, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1548, line 18, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1548, line 23, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1549, line 3, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1549, line 6, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1549, line 25, strike ''maritime'' and insert ''recreational or commercial marine''.

On page1621, line 19, strike ''maritime'' and insert ''recreational or commercial marine''.

SA 2590. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division I, add the following:

SEC. 90009. DESIGNATION OF CERTAIN AIRPORTS AS PORTS OF ENTRY.

(a) IN GENERAL.—The President shall—

(1) pursuant to the Act of August 1, 1914 (38 Stat. 623, chapter 223; 19 U.S.C. 2), designate each airport described in subsection (b) as a port of entry; and

(2) terminate the application of the user fee requirement under section 236 of the Trade and Tariff Act of 1984 (19 U.S.C. 58b) with respect to the airport.

(b) AIRPORTS DESCRIBED.—An airport described in this subsection is an airport that—

(1) is a primary airport (as defined in section 47102 of title 49, United States Code);

(2) is located not more than 30 miles from the northern or southern international land border of the United States;

(3) is associated, through a formal, legal instrument, including a valid contract or governmental ordinance, with a land border crossing or a seaport not more than 30 miles from the airport; and

(4) through such association, meets the numerical criteria considered by U.S. Customs and Border Protection for establishing a port of entry, as set forth in—

(A) Treasury Decision 82–37 (47 Fed. Reg. 10137; relating to revision of customs criteria for establishing ports of entry and stations), as revised by Treasury Decisions 86–14 (51 Fed. Reg. 4559) and 87–65 (52 Fed. Reg. 16328); or

(B) any successor guidance or regulation.

On page 443, lines 4 and 5, strike ''in the first sentence by striking'' and insert the following: ''in the first sentence—

(1)by inserting ''clauses (i) and (iv) of subsection (c)(38)(A),'' after ''subsection (c)(37),''; and

(2) by striking

SA 2591. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I of division D, add the following:

SEC. 40114. SOUTHWESTERN POWER ADMINISTRATION FUND.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Southwestern Power Administration.

(2) FUND.—The term ''Fund'' means the Southwestern Power Administration Fund established by subsection (b).

(b) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund, to be known as the ''Southwestern Power Administration Fund'', consisting of—

(1) all receipts, collections, and recoveries of the Southwestern Power Administration, including trust funds;

(2) appropriations to the Fund; and

(3) amounts transferred to the Fund under subsection (c); and

(4) amounts deposited in the Fund under the first proviso in the matter under the heading ''OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION'' under the heading ''POWER MARKETING ADMINISTRATIONS'' under the heading ''DEPARTMENT OF ENERGY'' in title III of the Energy and Water Development Appropriations Act, 2005 (118 Stat. 2956; 16 U.S.C. 825s–4).

(c) TRANSFERS TO FUND.—There are transferred to the Fund—

(1) unexpended balances in the continuing fund pursuant to the 11th paragraph under the heading ''OFFICE OF THE SECRETARY'' in title I of the Act of October 12, 1949 (63 Stat. 767, chapter 680; 16 U.S.C. 825s–1);

(2) unexpended balances in the advanced payment fund pursuant to the first proviso in the matter under the heading ''OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION'' under the heading ''POWER MARKETING ADMINISTRATIONS'' under the heading ''Department of Energy'' in title III of the Energy and Water Development Appropriations Act, 2005 (118 Stat. 2956; 16 U.S.C. 825s–4); and

(3) unexpended balances in the offsetting collections fund pursuant to the fourth and fifth provisos in the matter under the heading ''OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION'' under the heading ''POWER MARKETING ADMINISTRATIONS'' under the heading ''DEPARTMENT OF ENERGY'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (123 Stat. 2869; 16 U.S.C. 825s–7) (as in effect on the day before the date of enactment of this Act).

(d) AVAILABILITY.—Amounts in the Fund shall remain available until expended.

(e) USE.—Amounts in the Fund shall be used by the Secretary, acting through the Administrator, for expenses necessary for—

(1) operation and maintenance of power transmission facilities;

(2) marketing electric power and energy;

(3) construction and acquisition of transmission lines, substations, and appurtenant facilities; and

(4) administrative expenses in carrying out the duties of the Secretary under—

(A) section 5 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 890, chapter 665; 16 U.S.C. 825s); and

(B) section 1232 of the Energy Policy Act of 2005 (42 U.S.C.16431).

(f) OBLIGATIONS.—The Secretary, acting through the Administrator, may incur obligations for authorized purposes in advance of appropriations to be liquidated by the Fund.

(g) EXCESS FUNDS.—Annually, the Secretary, acting through the Administrator, shall transfer excess amounts in the Fund to the Treasury of the United States as miscellaneous receipts.

(h) APPLICABLE LAW.—The provisions of chapter 91 of title 31, United States Code, shall apply to the Administrator in carrying out this section in the same manner as the provisions apply to a wholly owned Government corporation (as defined in section 9101 of that title).

(i) CONFORMING AMENDMENTS.—

(1) The first proviso in the matter under the heading ''OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION'' under the heading ''POWER MARKETING ADMINISTRATIONS'' under the heading ''Department of Energy'' in title III of the Energy and Water Development Appropriations Act, 2005 (118 Stat. 2956; 16 U.S.C. 825s–4) is amended—

(A) by striking ''in fiscal year 2005'' and inserting ''on the date of enactment of the Infrastructure Investment and Jobs Act''; and

(B) by striking ''credited to this account'' and inserting ''deposited in the Southwestern Power Administration Fund established by section 40114(b) of the Infrastructure Investment and Jobs Act''.

(2) The fourth and fifth provisos in the matter under the heading ''OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION'' under the heading ''POWER MARKETING ADMINISTRATIONS'' under the heading ''Department of Energy'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (123 Stat. 2869; 16 U.S.C. 825s–7) are repealed.

SA 2592. Mr. HEINRICH (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2585, line 5, insert ''*Provided further*, That the Administrator shall use not less than $25,000,000 of the amounts made available under this paragraph in this Act in each of fiscal years 2022 through 2026 to provide wastewater assistance under section 307

of the Safe Drinking Water Act Amendments of 1996 (33 U.S.C. 1281 note; Public Law 104–182) to eligible communities (as defined in subsection (a) of that section):'' after ''1383):''.

On page 2587, line 3, insert ''*Provided further*, That the Administrator shall use not less than $25,000,000 of the amounts made available under this paragraph in this Act in each of fiscal years 2022 through 2026 to provide drinking water assistance under section 1456 of the Safe Drinking Water Act (42 U.S.C. 300j–16) to eligible communities (as defined in subsection (a) of that section):'' after ''300j–12):''.

SA 2593. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1956, strike lines 14 through 23 and insert the following:

''(1) IN GENERAL.—Subject to paragraph (2)(A), the Federal''; and

(C) by inserting after paragraph (1) (as so designated) the following:

''(2) RURAL AND FINANCIALLY DISTRESSED COMMUNITIES.—

''(A) FEDERAL SHARE FOR FINANCIALLY DISTRESSED COMMUNITIES.—The Federal share of the cost of activities using amounts from a grant made to a financially distressed community (as defined in subsection (c)(1)) under subsection (a) shall be not less than 75 percent of the cost.

''(B) REQUIREMENT.—To the maximum extent practicable, the Administrator shall work with States to prevent the non-Federal share requirements under this subsection from being passed on to rural communities and financially distressed communities (as those terms are defined in subsection (f)(2)(B)(i).'';

On page 1957, line 4, strike ''$280,000,000'' and insert ''$400,000,000''.

SA 2594. Mr. REED (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 201, strike line 13 and insert the following:

(1) in subsection (b)—

(A) by striking ''(b) The geometric'' and inserting the following:

''(b) DESIGN CRITERIA FOR THE INTERSTATE SYSTEM.—The geometric''; and

(B) in the second sentence, by striking ''the types and volumes of traffic anticipated for such project for the twenty-year period commencing on the date of approval by the Secretary, under section 106 of this title, of the plans, specifications, and estimates for actual construction of such project'' and inserting ''the existing and future performance of the facility, to include the safety, geometric, capacity, or operational needs of the facility, as determined by the State department of transportation, in consultation with the Federal Highway Administration'';

(2) in subsection (d)—

On page 202, line 5, strike ''(2)'' and insert ''(3)''.

On page 202, line 23, strike ''(3)'' and insert ''(4)''.

SA 2595. Mr. KELLY (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division E, insert the following:

SEC. 502___. URBAN WATERS FEDERAL PARTNERSHIP PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) MEMBER AGENCIES.—The term ''member agencies'' means each of—

(A) the Environmental Protection Agency;

(B) the Department of the Interior;

(C) the Department of Agriculture;

(D) the Corps of Engineers;

(E) the National Oceanic and Atmospheric Administration;

(F) the Economic Development Administration;

(G) the Department of Housing and Urban Development;

(H) the Department of Transportation;

(I) the Department of Energy;

(J) the Department of Education;

(K) the National Institute for Environmental Health Sciences;

(L) the Community Development Financial Institutions Fund;

(M) the Federal Emergency Management Agency;

(N) the Corporation for National and Community Service; and

(O) such other agencies, departments, and bureaus that elect to participate in the Urban Waters program as the missions, authorities, and appropriated funding of those agencies, departments, and bureaus allow.

(3) SECRETARIES.—The term ''Secretaries'' means the Secretary of the Interior and the Secretary of Agriculture.

(4) URBAN WATERS AMBASSADOR.—The term ''Urban Waters ambassador'' means a person who—

(A) is locally based near the applicable Urban Waters partnership location; and

(B) serves in a central coordinating role for the work carried out in the applicable Urban Waters partnership location with respect to the Urban Waters program.

(5) URBAN WATERS NONPARTNERSHIP LOCATION.—The term ''Urban Waters nonpartnership location'' means an urban or municipal site and the associated watershed or waterbody of the site—

(A) that receives Federal support for activities that advance the purpose of the Urban Waters program; but

(B)(i) that is not formally designated as an Urban Waters partnership location; and

(ii) for which is not maintained—

(I) an active partnership with an Urban Waters ambassador; or

(II) an Urban Waters partnership location workplan.

(6) URBAN WATERS PARTNERSHIP LOCATION.—The term ''Urban Waters partnership location'' means an urban or municipal site and the associated watershed or waterbody of the site for which—

(A) the Administrator, in collaboration with the heads of the other member agencies, has formally designated as a partnership location under the Urban Waters program; and

(B) an active partnership with an Urban Waters ambassador is maintained.

(7) URBAN WATERS PARTNERSHIP LOCATION WORKPLAN.—The term ''Urban Waters partnership location workplan'' means the plan for projects and actions that is coordinated across an Urban Waters partnership location.

(8) URBAN WATERS PROGRAM.—The term ''Urban Waters program'' means the program established under subsection (b)(1).

(b) URBAN WATERS FEDERAL PARTNERSHIP PROGRAM.—

(1) AUTHORIZATION.—There is authorized a program, to be known as the ''Urban Waters Federal Partnership Program'', administered by the partnership of the member agencies—

(A) to jointly support and execute the goals of the Urban Waters program through the independent authorities and appropriated funding of the member agencies; and

(B) to advance the purpose described in paragraph (2) within designated Urban Waters partnership locations and other urban and suburban communities in the United States.

(2) PROGRAM PURPOSE.—The purpose of the Urban Waters program is to reconnect urban communities, particularly urban communities that are overburdened or economically distressed, with associated waterways by improving coordination among Federal agencies.

(3) PROGRAM REQUIREMENTS.—

(A) IN GENERAL.—Subject to the availability of appropriations, the Administrator, in coordination with the Secretaries and, as appropriate, the heads of the other member agencies, shall maintain the Urban Waters program in accordance with this paragraph.

(B) URBAN WATERS FEDERAL PARTNERSHIP STEERING COMMITTEE.—

(i) ESTABLISHMENT.—

(I) IN GENERAL.—The Administrator shall establish a steering committee for the Urban Waters program (referred to in this subparagraph as the ''steering committee'').

(II) CHAIR.—The Administrator shall serve as chairperson of the steering committee.

(III) VICE-CHAIRS.—The Secretaries shall serve as vice-chairpersons of the steering committee.

(IV) MEMBERSHIP.—In addition to the Administrator and the Secretaries, the members of the steering committee shall be the senior officials (or their designees) from such member agencies as the Administrator shall designate.

(ii) DUTIES.—The steering committee shall provide general guidance to the member agencies with respect to the Urban Waters program, including guidance with respect to—

(I) the identification of annual priority issues for special emphasis within Urban Waters partnership locations; and

(II) the identification of funding opportunities, which shall be communicated to all Urban Waters partnership locations.

(iii) INTERAGENCY FINANCING.—Notwithstanding section 1346 of title 31, United States Code, section 708 of division E of the Consolidated Appropriations Act, 2021 (Public Law 116–260), or any other similar provision of law, member agencies may—

(I) provide interagency financing to the steering committee; and

(II) directly transfer such amounts as are necessary to support the activities of the steering committee.

(C) AUTHORITY.—

(i) PARTNERSHIP LOCATIONS.—

(I) PARTNERSHIP LOCATIONS.—The Administrator and the Secretaries shall maintain an active partnership program under the Urban Waters program at each Urban Waters partnership location, including each Urban Waters partnership location in existence on the date of enactment of this Act, by providing—

(aa) technical assistance for projects to be carried out within the Urban Waters partnership location;

(bb) funding for projects to be carried out within the Urban Waters partnership location;

(cc) funding for an Urban Waters ambassador for the Urban Waters partnership location; and

(dd) coordination support with other member agencies with respect to activities carried out at the Urban Waters partnership location.

(II) NEW PARTNERSHIP LOCATIONS.—

(aa) IN GENERAL.—The Administrator and the Secretaries may, in consultation with the heads of other member agencies, establish new Urban Waters partnership locations.

(bb) NONPARTNERSHIP LOCATIONS.—A community with an Urban Waters nonpartnership location may, at the discretion of the community, seek to have the Urban Waters nonpartnership location designated as an Urban Waters partnership location.

(ii) AUTHORIZED ACTIVITIES.—

(I) DEFINITION OF ELIGIBLE ENTITY.—In this clause, the term ''eligible entity'' means—

(aa) a State;

(bb) a territory or possession of the United States;

(cc) the District of Columbia;

(dd) an Indian Tribe;

(ee) a unit of local government;

(ff) a public or private institution of higher education;

(gg) a public or private nonprofit institution;

(hh) an intertribal consortium;

(ii) an interstate agency; and

(jj) any other entity determined to be appropriate by the Administrator.

(II) ACTIVITIES.—In carrying out the Urban Waters program, a member agency may encourage, cooperate with, and render technical services to and provide financial assistance to support—

(aa) Urban Water ambassadors to conduct activities with respect to the applicable Urban Waters partnership location, including—

(AA) convening the appropriate Federal and non-Federal partners for the Urban Waters partnership location;

(BB) developing and carrying out an Urban Waters partnership location workplan;

(CC) leveraging available Federal and non-Federal resources for projects within the Urban Waters partnership location; and

(DD) sharing information and best practices with the Urban Waters Learning Network established under clause (iii); and

(bb) an eligible entity in carrying out—

(AA) projects at Urban Water partnership locations that provide habitat or water quality improvements, increase river recreation, enhance community resiliency, install infrastructure, strengthen community engagement with and education with respect to water resources, or support planning, coordination, and execution of projects identified in the applicable Urban Waters partnership location workplan; and

(BB) planning, research, experiments, demonstrations, surveys, studies, monitoring, training, and outreach to advance the purpose described in paragraph (2) within Urban Waters partnership locations and in Urban Waters nonpartnership locations.

(III) TRANSFER OF FUNDS.—In carrying out the Urban Waters program, a member agency may transfer funds to or enter into interagency agreements with other member agencies as necessary to carry out the Urban Waters program.

(iii) URBAN WATERS LEARNING NETWORK.—The Administrator and the Secretaries shall maintain an Urban Waters Learning Network—

(I) to share information, resources, and tools between Urban Waters partnership locations and with other interested communities; and

(II) to carry out community-based capacity building that advances the goals of the Urban Waters program.

(iv) WORKPLAN PROGRESS.—Progress in addressing the goals of the Urban Waters partnership location workplan of an Urban Waters partnership location shall be shared with the Urban Waters program at regular intervals, as determined by the Administrator and the Secretaries.

(4) REPORTS TO CONGRESS.—The Administrator and the Secretaries shall annually submit to the appropriate committees of Congress a report describing the progress in carrying out the Urban Waters program, which shall include—

(A) a description of the use of funds under the Urban Waters program;

(B) a description of the progress made in carrying out Urban Waters partnership location workplans; and

(C) any additional information that the Administrator and the Secretaries determine to be appropriate.

(5) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to the Administrator to carry out the Urban Waters program $10,000,000 for each of fiscal years 2022 through 2026.

(B) USE OF FUNDS.—Notwithstanding any other provision of law, activities carried out using amounts made available to the Administrator under subparagraph (A) may be used in conjunction with amounts made available from—

(i) other member agencies; and

(ii) non-Federal entities that participate in the Urban Waters program.

SA 2596. Mr. MARKEY (for himself and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2648, line 20, insert ''or there is unmet need in other locations'' after ''built out''.

SA 2597. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF CERTAIN TYPES OF CENSUS DATA.

Notwithstanding any other provision of this Act or an amendment made by this Act, the most recent standard 1-year estimate of the American Community Survey of the Bureau of the Census may not be used to allocate funds under this Act or an amendment made by this Act.

SA 2598. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 98, line 8, strike ''2010'' and insert ''2020''.

On page 123, line 13, strike ''2010'' and insert ''2020''.

SA 2599. Mr. DAINES (for himself and Ms. LUMMIS) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division I, add the following:

SEC. 90009. REDUCTION OF SPENDING.

(a) DEFINITIONS.—In this section—

(1) the term ''amount of the shortfall'' means the difference, as of the date on which this Act is last passed by the Senate, and based on estimates submitted as of that date by the Congressional Budget Office, between—

(A) the sum of the amounts made available under each provision of this Act, or an amendment made by this Act; and

(B) the sum of the amounts of the increase in revenue or decrease in spending under each provision of this Act, or an amendment made by this Act; and

(2) notwithstanding section 2 of this Act, the term ''this Act'' means each division of this Act.

(b) REDUCTION IN SPENDING.—Each amount made available under this Act, or an amendment made by this Act, shall be reduced, on a pro rata basis, by the amount necessary to reduce the total amount made available under this Act by the amount of the shortfall.

SA 2600. Mr. BLUMENTHAL (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684,

to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

SEC. _____. REGULATION OF POLE ATTACHMENTS.

Section 224 of the Communications Act of 1934 (47 U.S.C. 224) is amended—

(1) in subsection (a), by adding at the end the following:

''(6) The term 'broadband service' has the meaning given the term 'broadband internet access service' in section 8.1 of title 47, Code of Federal Regulations, or any successor regulation.'';

(2) in subsection (b), by adding at the end the following:

''(3) Not later than 180 days after the date of enactment of this paragraph, the Commission shall prescribe regulations that—

''(A) include an expedited complaint and dispute resolution process to resolve, in not more than 90 days, disagreements involving access to poles for purposes of providing broadband service, including pole replacements and the terms, conditions, and charges for pole replacements;

''(B) provide that the pendency of an appeal from any decision in favor of an attaching entity shall not prevent the attaching entity from proceeding with any disputed attachment; and

''(C) provide that the regulations prescribed under this paragraph take precedence, when in conflict, over any agreement between a utility and an attaching entity entered into before the date on which the regulations are prescribed.

''(4) Not later than 180 days after the date of enactment of this paragraph, the Commission shall prescribe regulations to govern the charges for any pole attachments used by any entity, in whole or in part, to provide broadband service that—

''(A) ensure that a charge for the replacement of a pole shall not be considered just and reasonable unless—

''(i) the responsibility of the attaching entity is limited to compensating the utility for—

''(I) the remaining accounting value of the pole being replaced;

''(II) any incremental costs from increasing the capacity of the pole; and

''(III) any costs of advancing the replacement of the pole by its remaining service life, as measured by the difference between the age of the pole and the utility's average service life for a pole; and

''(ii) any recovery by the utility of its share of such costs through recurring rates excludes amounts recovered through non-recurring charges to attaching entities permitted under this subsection, including under clause (i), and through depreciation; and

''(B) ensure that terms and conditions for pole attachments—

''(i) require all work to facilitate replacement of a pole under subsection (f)(2)(B) to be completed by the utility or its designee not later than 90 days after the receipt by the utility, from the attaching entity, of a complete application and payment consistent with regulations implemented under paragraph (3) of this subsection, unless the Commission finds that unforeseeable exigent circumstances prevent completion of complex make-ready projects within that period, in which case the work shall be completed not later than 120 days after the receipt of the complete application and payment;

''(ii) require a utility to designate contractors qualified and authorized to safely perform replacement of a pole under subsection (f)(2)(B) if the utility is unable to comply with the deadline under clause (i) of this subparagraph;

''(iii) prohibit a utility from unreasonably withholding consent to designate, in accordance with clause (ii), contractors proposed by the attaching entity that are qualified and authorized to safely perform replacement of a pole under subsection (f)(2)(B); and

''(iv) provide that an attaching entity may—

''(I) engage and direct contractors that are qualified and authorized to safely perform replacement of a pole under subsection (f)(2)(B) designated by the utility to complete any make-ready work if the utility is unable to complete the work by the deadline under clause (i) of this subparagraph; and

''(II) recover from the utility any costs related to work completed under subclause (I) for which the utility is responsible.''; and

(3) in subsection (f), by striking paragraph (2) and inserting the following:

''(2)(A) Notwithstanding paragraph (1), and subject to subparagraph (B) of this paragraph, a utility providing electric service may deny a cable television system or any telecommunications carrier access to its poles, ducts, conduits, or rights-of-way, on a non-discriminatory basis for reasons of reasons of safety, reliability, and generally applicable engineering purposes.

''(B) If a utility denies access to a cable television system or telecommunications carrier under subparagraph (A), upon the request of the cable television system or telecommunications carrier, the utility shall on a nondiscriminatory basis expand the capacity of, or replace, any pole, duct, conduit, or right-of-way owned or controlled by the utility to enable the requesting entity to provide broadband service if the requesting entity agrees to pay a proportionate share of the costs of the expansion or replacement in accordance with the regulations prescribed by the Commission under subsection (b)(4).''.

SA 2601. Ms. DUCKWORTH (for herself and Ms. LUMMIS) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. 230____. UNIVERSAL ELECTRONIC VEHICLE IDENTIFIER.

Not later than 4 years after the date of enactment of this Act, the Secretary shall issue a final regulation that requires a commercial motor vehicle manufactured after the effective date of such regulation to be equipped with a universal electronic vehicle identifier that provides a single point of data, such as the Vehicle Identification Number, that—

(1) identifies the vehicle for compliance, inspection, or enforcement purposes;

(2) does not transmit personally identifiable information regarding operators; and

(3) does not create an undue cost burden for operators and carriers.

SA 2602. Mr. CORNYN (for himself, Mr. PADILLA, Mr. LUJÁN, Ms. HASSAN, Ms. BALDWIN, Mr. WICKER, Mr. KELLY, Ms. CORTEZ MASTO, Ms. LUMMIS, Mrs. MURRAY, Mr. TILLIS, Mr. CASEY, Ms. CANTWELL, Mr. KENNEDY, and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. ____. AUTHORITY TO USE CORONAVIRUS RELIEF FUNDS FOR INFRASTRUCTURE PROJECTS.

(a) IN GENERAL.—Title VI of the Social Security Act (42 U.S.C. 801 et seq.) is amended—

(1) in section 602—

(A) in subsection (a)(1), by inserting ''(except as provided in subsection (c)(4))'' after ''December 31, 2024''; and

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (4)''; and

(ii) by adding at the end the following new paragraph:

''(4) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

''(A) IN GENERAL.—Subject to subparagraph (C), notwithstanding any other provision of law, a State, territory, or Tribal government receiving a payment under this section may use funds provided under such payment for projects described in subparagraph (B), including—

''(i) in the case of a project receiving a grant under section 117 of title 23, United States Code, or section 5309 or 6701 of title 49, United States Code, to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project receiving credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

''(I) to satisfy a non-Federal share requirement applicable to such a project; and

''(II) to repay a loan provided under such program.

''(B) PROJECTS DESCRIBED.—A project referred to in subparagraph (A) is any of the following:

''(i) A project that receives a grant under section 117 of title 23, United States Code.

''(ii) A project eligible under section 119 of title 23, United States Code.

''(iii) A project eligible under section 124 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(iv) A project eligible under section 133 of title 23, United States Code.

''(v) An activity to carry out section 134 of title 23, United States Code.

''(vi) A project eligible under section 148 of title 23, United States Code.

''(vii) A project eligible under section 149 of title 23, United States Code.

''(viii) A project eligible under section 151 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(ix) A project eligible under section 165 of title 23, United States Code.

''(x) A project eligible under section 167 of title 23, United States Code.

''(xi) A project eligible under section 173 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xii) A project eligible under section 175 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xiii) A project eligible under section 176 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xiv) A project eligible under section 202 of title 23, United States Code.

''(xv) A project eligible under section 203 of title 23, United States Code.

''(xvi) A project eligible under section 204 of title 23, United States Code.

''(xvii) A project that receives a grant under the program for national infrastructure investments (commonly known as the 'Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program').

''(xviii) A project that receives credit assistance under the TIFIA program under chapter 6 of title 23, United States Code.

''(xix) A project that furthers the completion of a designated route of the Appalachian Development Highway System under section 14501 of title 40, United States Code.

''(xx) A project that receives a grant under section 5307 of title 49, United States Code.

''(xxi) A project that receives a grant under section 5309 of title 49, United States Code.

''(xxii) A project that receives a grant under section 5311 of title 49, United States Code.

''(xxiii) A project that receives a grant under section 5337 of title 49, United States Code.

''(xxiv) A project that receives a grant under section 5339 of title 49, United States Code.

''(xxv) A project that receives a grant under section 6703 of title 49, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xxvi) A project that receives a grant under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

''(xxvii) A project eligible under the bridge replacement, rehabilitation, preservation, protection, and construction program under paragraph (1) under the heading 'HIGHWAY INFRASTRUCTURE PROGRAM' under the heading 'FEDERAL HIGHWAY ADMINISTRATION' under the heading 'DEPARTMENT OF TRANSPORTATION' under title VIII of division J of the Infrastructure Investment and Jobs Act.

''(C) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

''(I) IN GENERAL.—The total amount that a State, territory, or Tribal government may use from a payment made under this section for uses described in subparagraph (A) shall not exceed the greater of—

''(aa) $10,000,000; and

''(bb) 30 percent of such payment.

''(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

''(ii) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section shall not be used for operating expenses of a project described in clauses (xx) through (xxiv) of subparagraph (B).

''(iii) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) the requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section that are used pursuant to subparagraph (A) for a project described in clause (xxvi) of subparagraph (B) that relates to broadband infrastructure;

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section that are used for projects described in subparagraph (B); and

''(III) a State government receiving a payment under this section may use funds provided under such payment for projects described in clauses (i) through (xxvii) of subparagraph (B), as applicable, that—

''(aa) demonstrate progress in achieving a state of good repair as required by the State's asset management plan under section 119(e) of title 23, United States Code; and

''(bb) support the achievement of 1 or more performance targets of the State established under section 150 of title 23, United States Code.

''(iv) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iii) to the appropriate Federal agency.

''(D) AVAILABILITY.—Funds provided under a payment made under this section to a State, territory, or Tribal government shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.''; and

(2) in subsection 603—

(A) in subsection (a), by inserting ''(except as provided in subsection (c)(5))'' after ''December 31, 2024''; and

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraphs (3) and (4)'' and inserting ''paragraphs (3), (4), and (5)''; and

(ii) by adding at the end the following new paragraph:

''(5) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), notwithstanding any other provision of law, a metropolitan city, nonentitlement unit of local government, or county receiving a payment under this section may use funds provided under such payment for projects described in subparagraph (B) of section 602(c)(4), including—

''(i) in the case of a project receiving a grant under section 117 of title 23, United States Code, or section 5309 or 6701 of title 49, United States Code, to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project receiving credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

''(I) to satisfy a non-Federal share requirement applicable to such a project; and

''(II) to repay a loan provided under such program.

''(B) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

''(I) IN GENERAL.—The total amount that a metropolitan city, nonentitlement unit of local government, or county may use from a payment made under this section for uses described in subparagraph (A) shall not exceed the greater of—

''(aa) $10,000,000; and

''(bb) 30 percent of such payment.

''(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

''(ii) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section shall not be used for operating expenses of a project described in clauses (xx) through (xxiv) of section 602(c)(4)(B).

''(iii) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) the requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section that are used pursuant to subparagraph (A) for a project described in clause (xxvi) of section 602(c)(4)(B) that relates to broadband infrastructure; and

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section that are used for projects described in section 602(c)(4)(B).

''(iv) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iii) to the appropriate Federal agency.

''(C) AVAILABILITY.—Funds provided under a payment made under this section to a metropolitan city, nonentitlement unit of local government, or county shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.''.

(b) TECHNICAL AMENDMENTS.—Sections 602(c)(3) and 603(c)(3) of title VI of the Social Security Act (42 U.S.C. 802(c)(3), 803(c)(3)) are each amended by striking ''paragraph (17) of''.

(c) GUIDANCE AND EFFECTIVE DATE.—

(1) GUIDANCE OR RULE.—Within 60 days of the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of Transportation, shall issue guidance or promulgate a rule to carry out this section.

(2) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the issuance of guidance or the promulgation of a rule described in paragraph (1).

(d) DEPARTMENT OF THE TREASURY ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the unobligated balances from amounts made available to the Secretary of the Treasury (referred to in this subsection as the ''Secretary'') for administrative expenses pursuant to the provisions specified in paragraph (2) shall be available to the Secretary (in addition to any other appropriations provided for such purpose) for any administrative expenses of the Department of the Treasury determined by the Secretary to be necessary to respond to the coronavirus emergency, including any expenses necessary to implement any provision of—

(A) the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136);

(B) division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260);

(C) the American Rescue Plan Act (Public Law 117–2); or

(D) title VI of the Social Security Act (42 U.S.C. 801 et seq.).

(2) PROVISIONS SPECIFIED.—The provisions specified in this paragraph are the following:

(A) Sections 4003(f) and 4112(b) of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

(B) Section 421(f)(2) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(C) Sections 3201(a)(2)(B), 3206(d)(1)(A), and 7301(b)(5) of the American Rescue Plan Act of 2021 (Public Law 117–2).

(D) Section 602(a)(2) of the Social Security Act (42 U.S.C. 802(a)(2)).

SA 2603. Mr. WYDEN (for himself, Mr. CRAPO, Mr. SCHATZ, Mr. RISCH, Mr. MERKLEY, Ms. MURKOWSKI, and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. _____. CORONAVIRUS RELIEF AND FISCAL RECOVERY FUNDS.

(a) LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND.—Section 605 of the Social Security Act (42 U.S.C. 805) is amended to read as follows:

"SEC. 605. LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND.

''(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,000,000,000 to remain available until September 30, 2023, with amounts to be obligated for each of fiscal years 2022 and 2023 in accordance with subsection (b), for making payments under this section to eligible revenue sharing recipients, eligible Tribal governments, and territories.

''(b) AUTHORITY TO MAKE PAYMENTS.—

''(1) ALLOCATIONS AND PAYMENTS TO ELIGIBLE REVENUE SHARING RECIPIENTS.—

''(A) ALLOCATIONS TO REVENUE SHARING COUNTIES.—For each of fiscal years 2022 and 2023, the Secretary shall reserve $742,500,000 of the total amount appropriated under subsection (a) to allocate to each revenue sharing county and, except as provided in subparagraph (B), pay to each revenue sharing county that is an eligible revenue sharing county amounts that are determined by the Secretary taking into account the amount of entitlement land in each revenue sharing county and the economic conditions of each revenue sharing county, using such measurements of poverty, household income, and unemployment over the most recent 20-year period as of September 30, 2021, to the extent data are available, as well as other economic indicators the Secretary determines appropriate.

''(B) SPECIAL ALLOCATION RULES.—

''(i) REVENUE SHARING COUNTIES WITH LIMITED GOVERNMENT FUNCTIONS.—In the case of an amount allocated to a revenue sharing county under subparagraph (A) that is a county with limited government functions, the Secretary shall allocate and pay such amount to each eligible revenue sharing local government within such county with limited government functions in an amount determined by the Secretary taking into account the amount of entitlement land in each eligible revenue sharing local government and the population of such eligible revenue sharing local government relative to the total population of such county with limited government functions.

''(ii) ELIGIBLE REVENUE SHARING COUNTY IN ALASKA.—In the case of the eligible revenue sharing county described in subparagraph (f)(3)(C), the Secretary shall pay the amount allocated to such eligible revenue sharing county to the State of Alaska. The State of Alaska shall distribute such payment to home rule cities and general law cities (as such cities are defined by the State) located within the boundaries of the eligible revenue sharing county for which the payment was received.

''(C) PRO RATA ADJUSTMENT AUTHORITY.—The amounts otherwise determined for allocation and payment under subparagraphs (A) and (B) may be adjusted by the Secretary on a pro rata basis to the extent necessary to ensure that all available funds are allocated and paid to eligible revenue sharing recipients in accordance with the requirements specified in each such subparagraph.

''(2) ALLOCATIONS AND PAYMENTS TO ELIGIBLE TRIBAL GOVERNMENTS.—For each of fiscal years 2022 and 2023, the Secretary shall reserve $250,000,000 of the total amount appropriated under subsection (a) to allocate and pay to eligible Tribal governments in amounts that are determined by the Secretary taking into account economic conditions of each eligible Tribe.

''(3) ALLOCATIONS AND PAYMENTS TO TERRITORIES.—For each of fiscal years 2022 and 2023, the Secretary shall reserve $7,500,000 of the total amount appropriated under subsection (a) to allocate and pay to each territory an amount which bears the same proportion to the amount reserved in this paragraph as the population of such territory bears to the total population of all such territories.

''(c) USE OF PAYMENTS.—An eligible revenue sharing recipient, an eligible Tribal government, or a territory may use funds provided under a payment made under this section for any governmental purpose other than a lobbying activity.

''(d) REPORTING REQUIREMENT.—Any eligible revenue sharing recipient and any territory receiving a payment under this section shall provide to the Secretary periodic reports providing a detailed accounting of the uses of fund by such eligible revenue sharing recipient or territory, as applicable, and such other information as the Secretary may require for the administration of this section.

''(e) RECOUPMENT.—Any eligible revenue sharing recipient or any territory that has failed to submit a report required under subsection (d) or failed to comply with subsection (c), shall be required to repay to the Secretary an amount equal to—

''(1) in the case of a failure to comply with subsection (c), the amount of funds used in violation of such subsection; and

''(2) in the case of a failure to submit a report required under subsection (d), such amount as the Secretary determines appropriate, but not to exceed 5 percent of the amount paid to the eligible revenue sharing recipient or the territory under this section for all fiscal years.

''(f) DEFINITIONS.—In this section:

''(1) COUNTY.—The term 'county' means a county, parish, or other equivalent county division (as defined by the Bureau of the Census) in 1 of the 50 States.

''(2) COUNTY WITH LIMITED GOVERNMENT FUNCTIONS.—The term 'county with limited government functions' means a county in which entitlement land is located that is not an eligible revenue sharing county.

''(3) ELIGIBLE REVENUE SHARING COUNTY.—The term 'eligible revenue sharing county' means—

''(A) a unit of general local government (as defined in section 6901(2) of title 31, United States Code) that is a county in which entitlement land is located and which is eligible for a payment under section 6902(a) of title 31, United States Code;

''(B) the District of Columbia; or

''(C) the combined area in Alaska that is within the boundaries of a census area used by the Secretary of Commerce in the decennial census, but that is not included within the boundary of a unit of general local government described in subparagraph (A).

''(4) ELIGIBLE REVENUE SHARING LOCAL GOVERNMENT.—The term 'eligible revenue sharing local government' means a unit of general local government (as defined in section 6901(2) of title 31, United States Code) in which entitlement land is located that is not a county or territory and which is eligible for a payment under section 6902(a) of title 31, United States Code.

''(5) ELIGIBLE REVENUE SHARING RECIPIENTS.—The term 'eligible revenue sharing recipients' means, collectively, eligible revenue sharing counties and eligible revenue sharing local governments.

''(6) ELIGIBLE TRIBAL GOVERNMENT.—The term 'eligible Tribal government' means the recognized governing body of an eligible Tribe.

''(7) ELIGIBLE TRIBE.—The term 'eligible Tribe' means any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of March 11, 2021, pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

''(8) ENTITLEMENT LAND.—The term 'entitlement land' has the meaning given to such term in section 6901(1) of title 31, United States Code.

''(9) REVENUE SHARING COUNTY.—The term 'revenue sharing county' means—

''(A) an eligible revenue sharing county; or

''(B) a county with limited government functions.

''(10) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(11) TERRITORY.—The term 'territory' means—

''(A) the Commonwealth of Puerto Rico;

''(B) the United States Virgin Islands;

''(C) Guam;

''(D) the Commonwealth of the Northern Mariana Islands; or

''(E) American Samoa.''.

(b) EXTENSION OF AVAILABILITY OF CORONAVIRUS RELIEF FUND PAYMENTS TO TRIBAL GOVERNMENTS.—Section 601(d)(3) of the Social Security Act (42 U.S.C. 801(d)(3)) is amended by inserting ''(or, in the case of costs incurred by a Tribal government, during the period that begins on March 1, 2020, and ends on December 31, 2022)'' before the period.

SA 2604. Mr. GRASSLEY (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2642, line 20, strike ''National Electric Vehicle Formula Program'' and insert ''National Electric Vehicle and Alternative Infrastructure Formula Program''.

On page 2642, line 23, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2643, line 3, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2643, line 8, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''infrastructure''.

On page 2643, line 9, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2643, line 22, insert ''*Provided further*, That of the funds distributed to each State under the previous proviso, each State may determine how to allocate such funds for electric vehicle charging infrastructure, biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure projects, respectively:'' after ''Code:''.

On page 2644, line 19, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2646, line 15, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2646, line 20, insert ''or fueling'' after ''the charging''.

On page 2646, line 21, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2646, line 25, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2647, line 8, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2647, line 14, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2647, line 24, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2648, line 1, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2648, line 5, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''infrastructure''.

On page 2648, line 12, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before the semicolon.

On page 2648, line 14, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before the comma.

On page 2648, line 22, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2649, line 7, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2649, line 9, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2649, line 14, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2649, line 17, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2649, line 21, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before the comma.

On page 2649, line 25, insert '', biofuel vehicle owners, hydrogen vehicle owners, propane vehicle owners, or natural gas vehicle owners'' after ''owners''.

On page 2650, line 1, insert '', biofuel vehicles, hydrogen vehicles, propane vehicles, or natural gas vehicles'' after ''electric vehicles''.

On page 2650, line 2, insert '', biofuel, hydrogen, propane, or natural gas'' before ''required''.

On page 2650, line 3, insert '', biofuel fueling stations, hydrogen fueling stations, propane fueling stations, or natural gas fueling stations'' before the comma.

On page 2650, line 4, insert '', biofuel fueling stations, hydrogen fueling stations, propane fueling stations, or natural gas fueling stations'' after ''charging stations''.

On page 2650, line 5, insert '', biofuel, propane, hydrogen, or natural gas'' after ''electric''.

On page 2650, line 6, insert '', biofuel fueling stations, hydrogen fueling stations, propane fueling stations, or natural gas fueling stations'' after ''charging stations''.

On page 2650, line 7, insert '', biofuel, propane, hydrogen, or natural gas'' after ''electric''.

On page 2650, strike lines 13 and 14 and insert ''scenarios for electric vehicles and electric vehicle charging stations, biofuel vehicles and biofuel fueling stations, hydrogen vehicles and hydrogen fueling stations, propane vehicles and propane fueling stations, or natural gas vehicles and natural gas fueling stations: *Provided further*, That not later''.

On page 2650, line 22, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before ''under''.

On page 2650, line 24, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before ''under''.

On page 2651, line 6, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2651, line 8, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before ''locations''.

On page 2651, line 12, insert ''and biofuel, hydrogen, propane, and natural gas fueling'' after ''charging''.

On page 2651, line 15, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before ''to support''.

On page 2651, line 24, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2651, line 25, insert ''and biofuel, hydrogen, propane, and natural gas fueling'' after ''charging''.

On page 2652, line 21, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2654, line 4, insert '', biofuel vehicle, hydrogen vehicle, propane vehicle, or natural gas vehicle'' after ''electric vehicle''.

On page 2655, line 7, insert '', biofuel fueling stations, hydrogen fueling stations, propane fueling stations, or natural gas fueling stations'' after ''stations''.

On page 2655, line 8, insert '', biofuel fueling stations, hydrogen fueling stations, propane fueling stations, or natural gas fueling stations'' after ''stations''.

On page 2655, line 11, insert '', biofuel fueling stations, hydrogen fueling stations, propane fueling stations, or natural gas fueling stations'' after ''stations''.

SA 2605. Mrs. HYDE-SMITH (for herself, Mr. LEAHY, Ms. BALDWIN, Ms. LUMMIS, and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Under the heading ''RURAL UTILITIES SERVICE'' under the heading ''RURAL DEVELOPMENT PROGRAMS'' under the heading ''DEPARTMENT OF AGRICULTURE'' in title I of division J, add at the end the following:

RURAL WATER AND WASTE DISPOSAL PROGRAMS

For an additional amount for gross obligations for the principal amount of direct loans authorized by section 306 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926) and described in section 381E(d)(2) of that Act (7 U.S.C. 2009d(d)(2)), $2,000,000,000.

For an additional amount for the cost of grants for rural water, wastewater, and waste disposal programs authorized by section 306 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926), $1,000,000,000, to remain available until expended: *Provided*, That of the amount made available under this heading in this Act, $40,000,000 shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of that Act (7 U.S.C. 1926(a)(14)): *Provided further*, That of the amounts made available under this heading in this Act, up to 3 percent may be available for administrative expenses: *Provided further*, That such funds shall be transferred to, and merged with, the appropriation for ''Rural Development, Salaries and Expenses'': *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SA 2606. Mrs. HYDE–SMITH submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY))

to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1890, line 25, strike ''$2,400,000,000'' and insert ''$2,000,000,000''.

On page 2014, between lines 10 and 11, insert the following:

TITLE III—WATER RESOURCES PROJECTS

SEC. 50301. ENVIRONMENTAL INFRASTRUCTURE PROJECTS.

(a) IN GENERAL.—The Secretary of the Army shall provide design and construction assistance for environmental infrastructure projects authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835).

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $400,000,000 for fiscal year 2022, to remain available until expended.

On page 2496, between lines 2 and 3, insert the following:

ENVIRONMENTAL INFRASTRUCTURE

For an additional amount for design and construction assistance for environmental infrastructure projects authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835), $400,000,000 for fiscal year 2022, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018, and to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

On page 2583, line 22, strike ''$55,426,000,000'' and insert ''$55,026,000,000''.

On page 2585, line 24, strike ''$11,713,000,000'' and insert ''$11,313,000,000''.

On page 2586, line 2, strike ''$1,902,000,000'' and insert ''$1,502,000,000''.

SA 2607. Mrs. HYDE-SMITH submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division D, add the following:

SEC. 408_____. PILOT PROGRAM ON FEDERAL LAND DATA AND ANALYSIS CONSORTIUM.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of the Interior (referred to in this section as the ''Secretary''), in partnership with eligible partners described in subsection (b), shall carry out a pilot program (referred to in this section as the ''program'') to develop a Federal Land Data and Analysis Consortium for Orphaned and Abandoned Wells.

(b) ELIGIBLE PARTNERS.—An eligible partner referred to in subsection (a) is an institution of higher education or a private sector partner that has demonstrated research capabilities in the area of remote sensing, mesh networking, data visualization monitoring, machine learning or artificial intelligence, data capture, or data analysis.

(c) AUTHORIZED ACTIVITIES.—Eligible partners with respect to which the Secretary enters into a partnership under the program may assist the Secretary in identifying, categorizing, and prioritizing orphaned and abandoned wells that are the greatest risk to public health and safety on Federal land and Tribal land.

SA 2608. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF FUNDS FROM THE DEPARTMENT OF ENERGY.

An awardee or subawardee carrying out an award or subaward or project that is, in whole or in part, carried out using funds provided by the Department of Energy shall clearly state, to the extent possible, in any statement, press release, request for proposals, bid solicitation, or other document describing the award or subaward or project, other than a communication containing not more than 280 characters—

(1) the percentage of the total costs of the award or subaward or project that will be financed with funds provided by the Department of Energy;

(2) the dollar amount of the funds provided by the Department of Energy made available for the award or subaward or project; and

(3) whether the activities funded by the award or subaward or project will be financed by nongovernmental sources.

SEC. _____. DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF FUNDS FROM THE DEPARTMENT OF TRANSPORTATION.

(a) IN GENERAL.—A grantee or subgrantee carrying out a program, project, or activity that is, in whole or in part, carried out using funds provided by the Department of Transportation shall clearly state, to the extent possible, in any statement, press release, request for proposals, bid solicitation, or other document describing the program, project, or activity, other than a communication containing not more than 280 characters—

(1) the percentage of the total costs of the program, project, or activity that will be financed with funds provided by the Department of Transportation under this Act;

(2) the dollar amount of the funds provided by the Department of Transportation under this Act made available for the program, project, or activity; and

(3) the percentage of the total costs of, and dollar amount for, the program, project, or activity that will be financed by non-Federal sources.

(b) APPLICATION.—This section shall not apply to awards of Federal funds less than $50,000.

SA 2609. Mr. KELLY (for himself and Ms. LUMMIS) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 63, strike line 4 and insert the following:

funds apportioned under section 104(b)(1).

''(l) TRUCK PARKING.—

''(1) IN GENERAL.—To address the shortage of parking for commercial motor vehicles, for each fiscal year, a State shall use not less than 0.7 percent of the amounts provided to the State under section 104(b)(1) for that fiscal year for projects eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note; Public Law 112–141) to expand truck parking capacity.

''(2) WAIVER.—The Secretary may waive the requirement under paragraph (1), in whole or in part, with respect to a State for a fiscal year if the State demonstrates to the satisfaction of the Secretary that the State has met the commercial motor vehicle parking needs of the State.''.

SA 2610. Mr. OSSOFF (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 202, strike line 5 and insert the following:

(2) in subsection (l)—

(A) by striking paragraph (2);

(B) by striking the subsection designation and all that follows through ''In determining'' in paragraph (1) in the matter preceding subparagraph (A) and inserting the following:

''(l) ACCOMMODATING UTILITY FACILITIES IN THE RIGHT-OF-WAY.—

''(1) DEFINITIONS.—In this subsection:

''(A) FEDERAL LAND.—The term 'Federal land' means any land or interest in land owned by the United States.

''(B) INDIAN LAND.—The term 'Indian land' means—

''(i) land located within the boundaries of—

''(I) an Indian reservation, pueblo, or rancheria; or

''(II) a former reservation within Oklahoma; and

''(ii) land not located within the boundaries of an Indian reservation, pueblo, or rancheria—

''(I) the title to which is held in trust by the United States for the benefit of an Indian Tribe or an individual Indian;

''(II) the title to which is held by an Indian Tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or

''(III) the title to which is held by a dependent Indian community.

''(C) RIGHT-OF-WAY.—The term 'right-of-way' means any real property, or interest therein, acquired, dedicated, or reserved for the construction, operation, and maintenance of a highway.

''(D) UTILITY FACILITY.—

''(i) IN GENERAL.—The term 'utility facility' means any privately, publicly, or cooperatively owned line, facility, or system for producing, transmitting, or distributing communications, power, electricity, light, heat, gas, water, steam, waste, storm water

not connected with highway drainage, or any other similar commodity, including any fire or police signal system or street lighting system, that directly or indirectly serves the public.

''(ii) INCLUSIONS.—The term 'utility facility' includes—

''(I) a renewable energy generation facility;

''(II) electrical transmission and distribution infrastructure; and

''(III) broadband infrastructure and conduit.

''(2) ACCOMMODATION.—In determining''; and

(C) by adding at the end the following:

''(3) STATE APPROVAL.—A State, on behalf of the Secretary, may approve accommodating a utility facility described in paragraph (1)(D)(ii) within a right-of-way on a Federal-aid highway.

''(4) LIMITATIONS.—Paragraph (3) shall not apply to—

''(A) a utility facility on Indian land; or

''(B) a utility facility on Federal land, other than for the purpose of deployment of broadband infrastructure located within a right-of-way available to a State.

''(5) SAVINGS PROVISION.—Nothing in this subsection alters or affects any prohibition relating to commercial activity under section 111(a).'';

(3) in subsection (o)—

On page 202, line 23, strike ''(3)'' and insert ''(4)''.

On page 203, strike line 17 and insert the following:

the project is located on a Federal-aid highway.

''(t) VEGETATION MANAGEMENT.—States are encouraged to implement, or to enter into partnerships to implement, vegetation management practices, such as increased mowing heights and planting native grasses and pollinator-friendly habitats, along a right-of-way on a Federal-aid highway, if the implementation of those practices—

''(1) is in the public interest; and

''(2) will not impair the highway or interfere with the free and safe flow of traffic.''.

SA 2611. Mr. HEINRICH submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII of division D, add the following:

SEC. 412_____. HISTORIC PRESERVATION FUND.

Section 303102 of title 54, United States Code, is amended by—

(1) striking ''of fiscal years 2012 to 2023'' and inserting ''fiscal year''; and

(2) striking ''$150,000,000'' and inserting ''$300,000,000''.

SA 2612. Mr. BENNET (for himself and Mr. HICKENLOOPER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1612, between lines 15 and 16, insert the following:

(H) Wind.

SA 2613. Mr. VAN HOLLEN (for himself, Mr. CARDIN, Mr. KAINE, Mr. WARNER, Mr. REED, Ms. WARREN, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1152, strike lines 4 through 7 and insert the following:

''(A) IN GENERAL.—The Director may, without regard to any provision of title 5 governing the appointment of employees in the civil service—

''(i) appoint a total of not more than 140 scientific and engineering personnel to positions in ARPA–I, in order to facilitate the recruitment of eminent experts to support the goals described in subsection (c);

On page 1152, lines 11 and 12, strike '', without regard to the civil service laws''.

SA 2614. Mr. MENENDEZ (for himself, Mr. KENNEDY, Mrs. HYDE-SMITH, Mr. CASSIDY, and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CAP ON ANNUAL PREMIUM INCREASES.

(a) DEFINITIONS.—In this section—

(1) the term ''Administrator'' means the Administrator of the Federal Emergency Management Agency; and

(2) the term ''covered cost''—

(A) means—

(i) the amount of an annual premium with respect to any policy for flood insurance under the National Flood Insurance Program;

(ii) any surcharge imposed with respect to a policy described in clause (i) (other than a surcharge imposed under section 1304(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b))), including a surcharge imposed under section 1308A(a) of that Act (42 U.S.C. 4015a(a)); and

(iii) a fee described in paragraph (1)(B)(iii) or (2) of section 1307(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)); and

(B) does not include any cost associated with the purchase of insurance under section 1304(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)), including any surcharge that relates to insurance purchased under such section 1304(b).

(b) LIMITATION ON INCREASES.—

(1) LIMITATION.—

(A) IN GENERAL.—During the 5-year period beginning on the date of enactment of this Act, notwithstanding section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)), and subject to subparagraph (B), the Administrator may not, in any year, increase the amount of any covered cost by an amount that is more than 9 percent, as compared with the amount of the covered cost during the previous year, except where the increase in the covered cost relates to an exception under paragraph (1)(C)(iii) of such section 1308(e).

(B) DECREASE OF AMOUNT OF DEDUCTIBLE OR INCREASE IN AMOUNT OF COVERAGE.—In the case of a policyholder described in section 1308(e)(1)(C)(ii) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)(1)(C)(ii)), the Administrator shall establish a process by which the Administrator determines an increase in covered costs for the policyholder that is—

(i) proportional to the relative change in risk based on the action taken by the policyholder; and

(ii) in compliance with subparagraph (A).

(2) NEW RATING SYSTEMS.—

(A) CLASSIFICATION.—With respect to a property, the limitation under paragraph (1) shall remain in effect for each year until the covered costs with respect to the property reflect full actuarial rates, without regard to whether, at any time until the year in which those covered costs reflect full actuarial rates, the property is rated or classified under the Risk Rating 2.0 methodology (or any substantially similar methodology).

(B) NEW POLICYHOLDER.—If a property to which the limitation under paragraph (1) applies is sold before the covered costs for the property reflect full actuarial rates determined under the Risk Rating 2.0 methodology (or any substantially similar methodology), that limitation shall remain in effect for each year until the year in which those full actuarial rates takes effect.

(c) RULE OF CONSTRUCTION.—Nothing in subsection (b) may be construed as prohibiting the Administrator from reducing, in any year, the amount of any covered cost, as compared with the amount of the covered cost during the previous year.

(d) AVERAGE HISTORICAL LOSS YEAR.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended by striking subsection (h) and inserting the following:

''(h) RULE OF CONSTRUCTION.—For purposes of this section, the calculation of an 'average historical loss year' shall be computed in accordance with generally accepted actuarial principles.''.

(e) DISCLOSURE WITH RESPECT TO THE AFFORDABILITY STANDARD.—Section 1308(j) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(j)) is amended, in the second sentence, by inserting ''and shall include in the report the number of those exceptions as of the date on which the Administrator submits the report and the location of each policyholder insured under those exceptions, organized by county and State'' after ''of the Senate''.

SEC. _____. MEANS TESTED AFFORDABILITY VOUCHER.

(a) IN GENERAL.—Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) is amended by adding at the end the following:

''SEC. 1326. AFFORDABILITY ASSISTANCE.

''(a) AFFORDABILITY ASSISTANCE FUND.—

''(1) ESTABLISHMENT.—The Administrator shall establish in the Treasury of the United States an Affordability Assistance Fund (referred to in this section as the 'Fund'), which shall be—

''(A) an account separate from any other accounts or funds available to the Administrator; and

''(B) available without fiscal year limitation.

''(2) USE OF FUNDS.—Amounts from the Fund shall be available to provide financial assistance under subsection (b).

''(b) FINANCIAL ASSISTANCE.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'adjusted gross income' has the meaning given the term in section 62 of the Internal Revenue Code of 1986;

''(B) the term 'eligible household' means a household—

''(i) for which housing expenses exceed 30 percent of the adjusted gross income of the household in a year; and

''(ii)(I) for which the total assets owned by the household are in an amount that is not greater than 220 percent of the median household income for the State in which the household is located; or

''(II) that has a total household income that is not greater than 120 percent of the area median income for the area in which the household is located; and

''(C) the term 'housing expenses' means, with respect to a household, the total amount that the household spends in a year on—

''(i) mortgage payments;

''(ii) property taxes;

''(iii) homeowners insurance; and

''(iv) premiums for flood insurance under the national flood insurance program.

''(2) AUTHORITY.—

''(A) OTHER FINANCIAL ASSISTANCE.—The Administrator shall provide a voucher, grant, or premium credit to an eligible household for a year in an amount that, subject to subparagraph (B), is equal to the lesser of—

''(i) the difference between—

''(I) the housing expenses of the household for the year; and

''(II) 30 percent of the adjusted gross income of the household for the year; and

''(ii) the cost of premiums for the household for flood insurance under the national flood insurance program for the year.

''(B) REDUCTION.—The amount of the assistance provided under subparagraph (A) to an eligible household shall be reduced by 1 percent for each percent that the income of the eligible household exceeds 120 percent of the median household income for the State in which the property that is the subject of the assistance is located.

''(3) RELATIONSHIPS WITH OTHER AGENCIES.—The Administrator may enter into a memorandum of understanding with the head of any other Federal agency to administer paragraph (2)(A).''.

(b) DIRECT APPROPRIATION.—Out of any money in the Treasury not otherwise appropriated, there is appropriated to the Affordability Assistance Fund established under section 1326 of the National Flood Insurance Act of 1968, as added by subsection (a) of this section, $800,000,000 for each of fiscal years 2022 through 2025 to provide financial assistance under subsection (b) of such section 1326.

SEC. _____. FORBEARANCE ON NFIP INTEREST PAYMENTS.

(a) IN GENERAL.—During the 5-year period beginning on the date of enactment of this Act, the Secretary of the Treasury may not charge the Administrator of the Federal Emergency Management Agency (referred to in this section as the ''Administrator'') interest on amounts borrowed by the Administrator under section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) that were outstanding as of the date of enactment of this Act, including amounts borrowed after the date of enactment of this Act that refinance debts that existed before the date of enactment of this Act.

(b) USE OF SAVED AMOUNTS.—There shall be deposited into the National Flood Mitigation Fund an amount equal to the interest that would have accrued on the borrowed amounts during the 5-year period described in subsection (a) at the time at which those interest payments would have otherwise been paid, which, notwithstanding any provision of section 1367 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104d), the Administrator shall use to carry out the program established under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c).

(c) NO RETROACTIVE ACCRUAL.—After the 5-year period described in subsection (a), the Secretary of the Treasury shall not require the Administrator to repay any interest that, but for that subsection, would have accrued on the borrowed amounts described in that subsection during that 5-year period.

SA 2615. Mr. KELLY (for himself and Ms. LUMMIS) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 63, strike line 4 and insert the following:

funds apportioned under section 104(b)(1).

''(l) TRUCK PARKING.—

''(1) IN GENERAL.—0.7 percent of the amounts provided to each State under section 104(b)(1) for each fiscal year shall be reserved for projects eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note; Public Law 112–141) to create, expand, or improve truck parking capacity.

''(2) WAIVER.—The Secretary may waive the requirement under paragraph (1), in whole or in part, with respect to a State for a fiscal year if the State demonstrates to the satisfaction of the Secretary that the State has met the commercial motor vehicle parking needs of the State.''.

SA 2616. Ms. KLOBUCHAR (for herself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 80, strike lines 11 and 12 and insert the following:

ignated under section 167(e).'';

(7) in subsection (h)(5)(A), by striking ''the amount of the funds apportioned to the State for fiscal year 2009 under section 104(h)(2), as in effect on the day before the date of enactment of MAP–21,'' and inserting ''9 percent of the amount reserved under this subsection''; and

(8) by adding at the end the following:

SA 2617. Mr. WARNER (for himself, Mr. PORTMAN, and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2437, strike lines 9 through 18 and insert the following:

(d) RULES OF CONSTRUCTION.—

(1) DEFINITION OF BROKER.—Nothing in this section or the amendments made by this section shall be construed to create any inference that a person described in section 6045(c)(1)(D) of the Internal Revenue Code of 1986, as added by this section, includes any person solely engaged in the business of—

(A) validating distributed ledger transactions through proof of work (mining), or

(B) selling hardware or software the sole function of which is to permit persons to control a private key (used for accessing digital assets on a distributed ledger).

(2) BROKERS AND TREATMENT OF DIGITAL ASSETS.—Nothing in this section or the amendments made by this section shall be construed to create any inference, for any period prior to the effective date of such amendments, with respect to—

(A) whether any person is a broker under section 6045(c)(1) of the Internal Revenue Code of 1986, or

(B) whether any digital asset is property which is a specified security under section 6045(g)(3)(B) of such Code.

SA 2618. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I of division A, add the following:

SEC. 115___. DRY BULK WEIGHT TOLERANCE.

Section 127 of title 23, United States Code (as amended by section 11515(2)), is amended by adding at the end the following:

''(x) DRY BULK WEIGHT TOLERANCE.—

''(1) DEFINITION OF DRY BULK GOODS.—In this subsection, the term 'dry bulk goods' means any homogeneous unmarked nonliquid cargo being transported in a trailer specifically designed for that purpose.

''(2) WEIGHT TOLERANCE.—Notwithstanding any other provision of this section, except for the maximum gross vehicle weight limitation, a commercial motor vehicle transporting dry bulk goods may not exceed 110 percent of the maximum weight on any axle or axle group described in subsection (a), including any enforcement tolerance.''.

SA 2619. Mr. WYDEN (for himself, Ms. LUMMIS, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY))

to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2437, strike lines 9 through 18 and insert the following:

(d) RULE OF CONSTRUCTION.—

(1) DEFINITION OF BROKER.—Nothing in this section or the amendments made by this section shall be construed to create any inference that a person described in section 6045(c)(1)(D) of the Internal Revenue Code of 1986, as added by this section, includes any person solely engaged in the business of—

(A) validating distributed ledger transactions,

(B) selling hardware or software for which the sole function is to permit a person to control private keys which are used for accessing digital assets on a distributed ledger, or

(C) developing digital assets or their corresponding protocols for use by other persons, provided that such other persons are not customers of the person developing such assets or protocols.

(2) BROKERS AND TREATMENT OF DIGITAL ASSETS.—Nothing in this section or the amendments made by this section shall be construed to create any inference, for any period prior to the effective date of such amendments, with respect to—

(A) whether any person is a broker under section 6045(c)(1) of the Internal Revenue Code of 1986, or

(B) whether any digital asset is property which is a specified security under section 6045(g)(3)(B) of such Code.

SA 2620. Ms. SINEMA submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 125, line 8, insert a semicolon at the end.

On page 419, line 6, strike ''1109(a)(1)(C)'' and insert ''11109(a)(1)(C)''.

On page 443, line 12, strike ''is amended by adding'' and insert the following: ''is amended—

(1) by striking the seventh, eighth, and ninth sentences; and

(2) by adding

On page 650, line 6, strike ''a State'' and insert ''a State (including the District of Columbia)''.

On page 659, line 1, strike ''a State'' and insert ''a State (including the District of Columbia)''.

On page 699, line 25, strike ''22306'' and insert ''22308''.

On page 721, line 14, strike ''category'' and insert ''categories''.

On page 797, line 21, strike ''22210'' and insert ''22910''.

On page 1025, line 13, strike ''40'' and insert ''25''.

On page 1287, line 16, insert ''5334,'' after ''5318,''.

On page 1592, strike lines 6 through 13 and insert the following:

''(2) is placed in service on or after the date of enactment of this section;

''(3) meets the requirements of subclauses (I) and (III) of section 242(b)(1)(B)(ii); and

''(4)(A) is in compliance with all applicable Federal, Tribal, and State requirements; or

''(B) would be constructed or brought into compliance with the requirements described in subparagraph (A) as a result of the capital improvements or investment carried out using an incentive payment under this section.

On page 1593, line 15, insert ''subject to subsection (c),'' before ''environmental''.

On page 1594, between lines 8 and 9, insert the following:

''(c) CONDITION.—Incentive payments may only be made for environmental improvements under subsection (b)(3) on the condition that the improvements, including any related physical or operational changes, have been authorized under applicable Federal, State, and Tribal permitting or licensing processes that include appropriate mitigation conditions arising from consultation and environmental review under the processes.

On page 1594, line 9, strike ''(c)'' and insert ''(d)''.

On page 1594, line 18, strike ''(d)'' and insert ''(e)''.

In section 40541(a) of division D, strike paragraph (7) and insert the following:

(7) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means—

(A) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from tax under section 501(a) of such Code;

(B) a mutual or cooperative electric company described in section 501(c)(12) of such Code that is exempt from tax under section 501(a) of such Code; or

(C) an organization which is engaged in furnishing electric energy described in section 1381(a)(2)(C) of such Code.

On page 2195, strike lines 3 through 14 and insert the following:

(F) the Committee on Indian Affairs of the Senate;

(G) the Committee on Natural Resources of the House of Representatives;

(H) the Committee on Agriculture of the House of Representatives;

(I) the Committee on Homeland Security of the House of Representatives;

(J) the Committee on Appropriations of the House of Representatives;

(K) the Committee on Ways and Means of the House of Representatives; and

(L) the Committee on Natural Resources of the House of Representatives.

Beginning on page 2200, strike line 6 and all that follows through page 2201, line 17, and insert the following:

(III) a county government, with preference given to counties at least a portion of which is in the wildland-urban interface;

(IV) a municipal government, with preference given to municipalities at least a portion of which is in the wildland-urban interface; and

(V) an Indian tribal government;

(iii) with preference given to representatives from high-risk States and high-risk Indian tribal governments, not fewer than 1 representative from each of—

(I) the public utility industry;

(II) the property development industry;

(III) wildland firefighters; and

(IV) an organization—

(aa) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code; and

(bb) with expertise in forest management and environmental conservation;

(iv) not greater than 2 other appropriate non-Federal stakeholders, which may include the private sector; and

(v) any other appropriate non-Federal stakeholders, which may include the private sector, with preference given to non-Federal stakeholders from high-risk States and high-risk Indian tribal governments.

(2) STATE AND INDIAN TRIBAL GOVERNMENT LIMITATION.—Each member of the Commission appointed under clauses (i) and (ii) of paragraph (1)(C) shall represent a different State or Indian tribal government.

On page 2410, line 10, strike ''project which'' and insert ''project''.

On page 2410, line 11, insert ''which'' before ''is''.

On page 2410, line 17, strike ''and''.

Beginning on page 2410, strike line 18 and all that follows through page 2411, line 2, and insert the following:

(B) which results in internet access which—

(i) is provided at speeds not less than 100 megabits per second for downloads and 20 megabits per second for uploads; and

(ii) is provided to residential households; and

(C) under which not less than 90 percent of the residential households and commercial locations provided internet access are households and locations where, before the project, a broadband service provider—

In the eighth proviso under the heading ''DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM'' under the heading ''RURAL UTILITIES SERVICE'' under the heading ''RURAL DEVELOPMENT PROGRAMS'' under the heading ''DEPARTMENT OF AGRICULTURE'' in title I of division J, strike ''electric cooperatives'' and insert ''pole owners''.

On page 2467, line 2, insert a comma after ''Corporations''.

On page 2474, line 8, insert ''until'' after ''available''.

On page 2478, line 25, strike ''an institution'' and insert ''institutions''.

On page 2479, line 1, strike ''non-profit,'' and insert ''non-profit or''.

On page 2552, strike lines 17 through 20 and insert the following:

made available in fiscal years 2022 through 2026 under this paragraph

On page 2572, lines 3 and 4, strike ''salaries, expenses, and''.

On page 2585, line 6, strike ''three'' and insert ''four''.

On page 2587, line 3, strike ''three'' and insert ''four''.

On page 2589, line 2, strike ''three'' and insert ''four''.

On page 2590, line 15, strike ''three'' and insert ''four''.

On page 2592, line 6, strike ''three'' and insert ''four''.

On page 2597, line 4, strike ''three'' and insert ''five''.

On page 2604, line 5, strike the period at the end and insert '': *Provided*, That the amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018, and to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.''.

On page 2616, line 24, insert ''Federal'' before ''salaries''.

On page 2621, line 2, insert ''until'' after ''available''.

On page 2624, strike lines 13 through 15 and insert the following:

the programs administered by the Office of Multimodal Freight Infrastructure and Policy may be transferred to an ''Office of Multimodal Freight Infrastructure and Policy'' account,

On page 2625, lines 8 and 9, strike ''Office of Multimodal Infrastructure and Freight'' and insert ''Office of Multimodal Freight Infrastructure and Policy''.

On page 2625, line 23, strike ''section 6203'' and insert ''section 6703''.
On page 2626, lines 3 and 4, strike ''Office of Multimodal Infrastructure and Freight'' and insert ''Office of Multimodal Freight Infrastructure and Policy''.
On page 2637, line 12, strike ''PROGRAM'' and inserting ''PROGRAMS''.
On page 2638, line 13, strike ''administrations'' and insert ''administration''.
On page 2639, line 8, strike ''*further*''.
On page 2645, line 21, strike ''preceding proviso'' and insert ''sixth proviso of this paragraph in this Act''.
On page 2645, line 23, strike ''the preceding'' and insert ''such''.
On page 2646, line 3, strike ''the preceding'' and insert ''such''.
On page 2646, line 5, strike ''under'' and insert ''of''.
On page 2646, line 8, strike ''preceding proviso'' and insert ''sixth proviso of this paragraph in this Act''.
On page 2648, line 23, strike ''publically'' and insert ''publicly''.
On page 2648, line 25, strike ''publically'' and insert ''publicly''.
On page 2652, line 9, strike ''twenty-fourth'' and insert ''twenty-sixth''.
On page 2653, line 4, strike ''nineteenth'' and insert ''twenty-first''.
On page 2656, line 7, strike ''previous'' and insert ''preceding''.
On page 2661, line 16, strike ''third proviso in this'' and insert ''third proviso of this''.
On page 2661, line 20, strike ''under this heading'' and insert ''under this paragraph in this Act''.
On page 2661, line 22, strike ''in'' and insert ''of''.
On page 2673, line 3, insert ''appropriate costs required for'' after ''available for''.
On page 2673, line 19, insert '', in consultation with Amtrak,'' before ''shall submit''.
On page 2674, line 1, strike ''shall'' and insert '', in consultation with Amtrak, shall prepare and''.
On page 2674, line 11, strike ''capital''.
On page 2676, line 19, insert ''appropriate costs required for'' after ''available for''.
On page 2677, line 16, insert '', in consultation with Amtrak,'' before ''shall submit''.
On page 2677, line 23, strike ''shall'' and insert '', in consultation with Amtrak, shall prepare and''.
On page 2683, line 20, strike ''$10,250,000,000'' and insert ''$11,500,000,000''.
On page 2683, line 21, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.
On page 2683, line 23, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.
On page 2683, line 25, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.
On page 2684, line 1, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.
On page 2684, line 3, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.
On page 2684, line 24, strike ''and''.
On page 2685, line 4, strike the colon and insert ''; and''.
On page 2685, between lines 4 and 5, insert the following:
(4) $1,250,000,000 shall be to carry out passenger ferry grants under section 5307(h) of title 49, United States Code:

SA 2621. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1463, line 3, strike ''maritime''.
On page 1463, line 6, strike ''maritime''.
On page 1463, lines 9 and 10, strike ''maritime''.
On page 1548, line 18, strike ''maritime''.
On page 1548, line 23, strike ''maritime''.
On page 1549, line 3, strike ''maritime''.
On page 1549, line 6, strike ''maritime''.
On page 1549, line 25, strike ''maritime applications'' and insert ''vessels''.
On page 1621, line 19, strike ''maritime''.

SA 2622. Mr. SCHATZ (for Mrs. MURRAY) proposed an amendment to the bill S. 610, to address behavioral health and well-being among health care professionals; as follows:

In section 5(b), strike paragraph (1) and insert the following:
(1) the prevalence and severity of mental health conditions among health professionals, and factors that contribute to those mental health conditions;
At the end, add the following:

SEC. 6. GAO REPORT.

Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall report to Congress on the extent to which Federal substance use disorder and mental health grant programs address the prevalence and severity of mental health conditions and substance use disorders among health professionals. Such report shall include an analysis of available evidence and data related to such conditions and programs, and shall assess whether there are duplicative goals and objectives among such grant programs.

SA 2623. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. ___. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 2624. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 2623 submitted by Mr. SCHUMER and intended to be proposed to the amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike ''1 day'' and insert ''2 days''.

SA 2625. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. ___. EFFECTIVE DATE.

This Act shall take effect on the date that is 4 days after the date of enactment of this Act.

SA 2626. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 2625 submitted by Mr. SCHUMER and intended to be proposed to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike ''4'' and insert ''5''.

SA 2627. Mr. WARNER (for himself, Mr. PORTMAN, and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2437, after line 8, insert the following:
(d) RULES OF CONSTRUCTION.—
(1) DEFINITION OF BROKER.—Nothing in this section or the amendments made by this section shall be construed to create any inference that a person described in section 6045(c)(1)(D) of the Internal Revenue Code of 1986, as added by this section, includes any person solely engaged in the business of—
(A) validating distributed ledger transactions through proof of work (mining), or
(B) selling hardware or software the sole function of which is to permit persons to control a private key (used for accessing digital assets on a distributed ledger).
(2) BROKERS AND TREATMENT OF DIGITAL ASSETS.—Nothing in this section or the amendments made by this section shall be construed to create any inference, for any period prior to the effective date of such amendments, with respect to—
(A) whether any person is a broker under section 6045(c)(1) of the Internal Revenue Code of 1986, or
(B) whether any digital asset is property which is a specified security under section 6045(g)(3)(B) of such Code.

AUTHORITY FOR COMMITTEES TO MEET

Mr. PETERS. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to